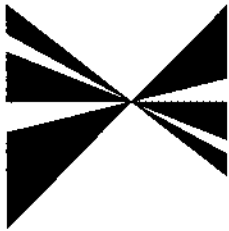


SOUTHERN CALIFORNIA



**ASSOCIATION of
GOVERNMENTS**

Main Office

818 West Seventh Street
12th Floor
Los Angeles, California
90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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San Bernardino County: Paul Biane, San Bernardino County • Bill Alexander, Rancho Cucamonga • Edward Burgnon, Town of Apple Valley • Lawrence Dale, Barstow • Lee Ann Garcia, Grand Terrace • Susan Longville, San Bernardino • Gary Olivitt, Ontario • Deborah Robertson, Rialto

Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Charles Smith, Orange County

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Bill Davis, Simi Valley

No. 455 MEETING OF THE

REGIONAL COUNCIL

**Thursday, October 7, 2004
12:30 p.m. – 2:00 p.m.**

**SCAG Offices
818 W. 7th Street, 12th Floor
San Bernardino Conference Room
Los Angeles, California 90017
213.236.1800**

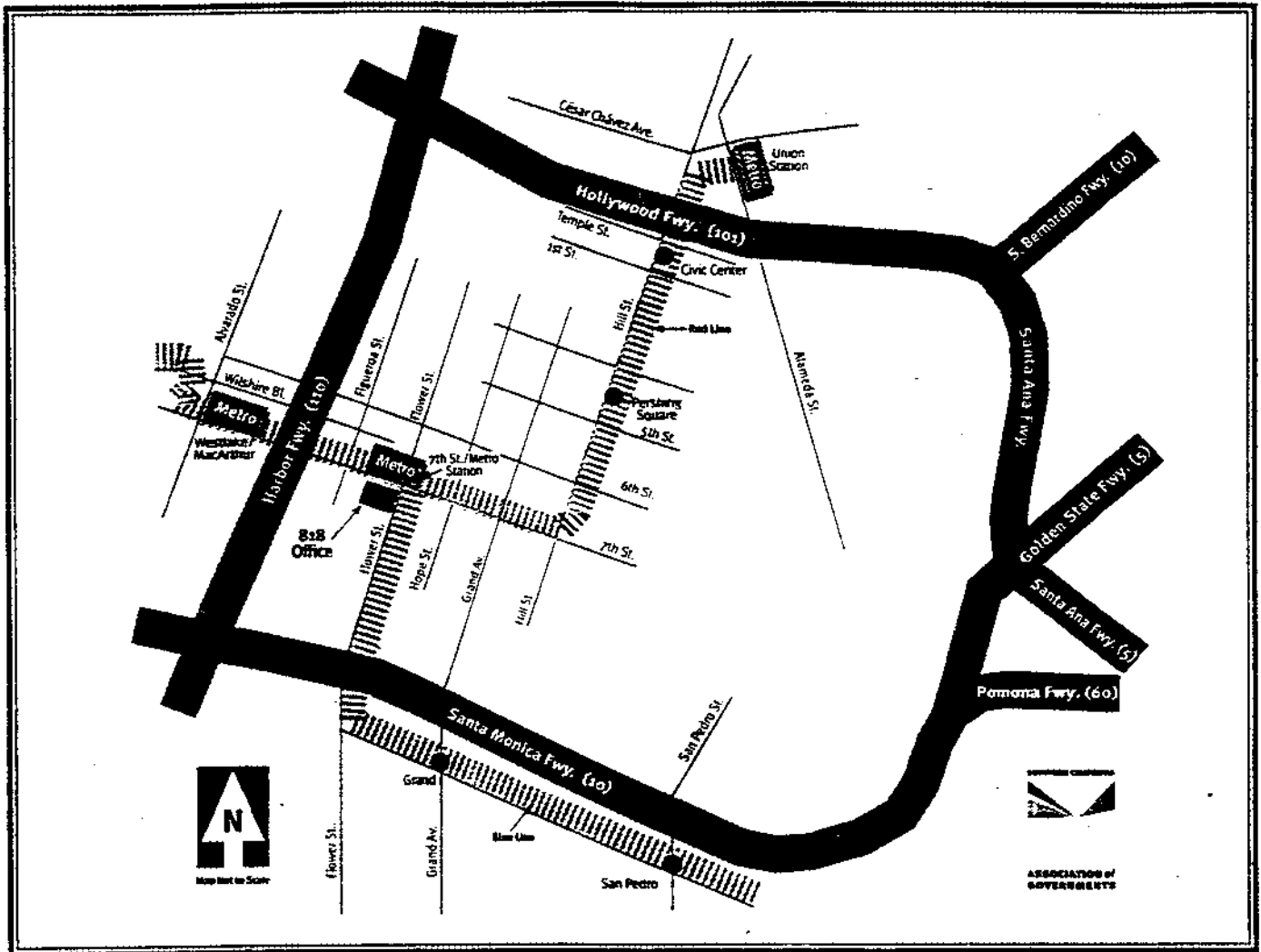
Agenda and Map Enclosed

**Agendas and Minutes for the
Regional Council are also available at
www.scag.ca.gov/committees/rc.htm**

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Shelia Stewart at 213.236.1868 or stewart@scag.ca.gov.

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To Get to the 818 Building

- Harbor Freeway (110) Exit on 6th Street, turn right on Flower.

By Transit...

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- SCAG is accessible by the Blue Line. Get off at 7th and Metro Station.
- SCAG is served directly by DASH Routes A and B. Bus Service via MTA, Foothill, Santa Monica, Orange County is available to downtown. Call 1-800-Commute for details.

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Rev. 12/30/97

REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
1.0 <u>CALL TO ORDER & PLEDGE OF ALLEGIANCE</u>	Councilmember Roberts, President	
MEETING FOCUS: <i>Regional Comprehensive Plan</i>		
2.0 <u>PUBLIC COMMENT PERIOD</u> – Members of the public desiring to speak on items on the agenda, or items not on the agenda, but within the purview of the Council, must fill out and present a speaker's card to the Exec. Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The President may limit the total time for all comments to twenty minutes.		
3.0 <u>CONSENT CALENDAR</u>		
3.1 <u>Approval Items</u>		
3.1.1 <u>Approve Minutes of Sept. 2, 2004 Attachment</u>	01	
3.1.2 <u>Approve Co-Sponsorship of a Homeland Security Conference Attachment</u>	14	
3.1.3 <u>Proposed Date, Location & Budget for SCAG's 2005 General Assembly & 40th Anniversary Celebration Attachment</u>	16	
3.1.4 <u>Caltrans Transportation Planning Grant Applications Attachment</u>	17	
3.2 <u>Receive & File</u>		
3.2.1 <u>Contracts & PO between \$5,000 - \$25,000 Attachment</u>	20	
3.2.2 <u>Conflict of Interest Listing Attachment</u>	21	
3.2.3 <u>SCAG Legislative Matrix Attachment</u>	22	
3.2.4 <u>Meeting Summary from Policy Committees Attachment</u>	30	

Oct. 07 RC Agenda
DOCS# 103213 - Stewart

REGIONAL COUNCIL

AGENDA

	PAGE #	TIME
4.0 <u>PRESIDENT'S REPORT</u>		
• Appointments		
4.1 <u>EXECUTIVE DIRECTOR'S REPORT</u>		
5.0 <u>ACTION ITEMS</u>		
5.1 <u>Administration Committee Report</u>	Councilmember Dixon, Chair	
5.1.1 <u>FY 2005-2006 Overall Work Attachment</u>		33
Recommended Action: Approve		
5.1.2 <u>Legal Services Contract Attachment</u>		43
Recommended Action: Approve		
5.2 <u>Transportation & Communications Committee (TCC) Report</u>	Councilmember Garcia, Chair	
5.2.1 <u>Status of Transportation Improvement Program Attachment</u>		48
Information will be presented on the status of the TIP.		
5.3 <u>Energy & Environment Committee (EEC) Report</u>	Supervisor Kuiper , Chair	
5.3.1 <u>Intergovernmental Framework for for Water Quality Attachment</u>		49
Recommended Action: Authorize the Executive Director on behalf of SCAG to assist the Regional Water Quality Board with the development of the framework for water quality.		

REGIONAL COUNCIL

AGENDA

		PAGE #	TIME
5.4	<u>Community & Human Development Committee (CEHD) Report</u>	Councilmember Robertson, Chair	
5.4.1	<u>Regional Comprehensive Plan (RCP) Concepts and Approach Attachment</u>		51
	Recommended Action: Approve		
5.5	<u>Communication Task Force Report</u>	Councilmember Proo, Chair	
6.0	<u>INFORMATION ITEMS</u>		
6.1	<u>Monthly Financial Report Attachment</u>	Heather Copp, CFO	66
6.2	<u>Update on discussion between SCAG and Tribal Governments Attachment</u>	Karen Tachiki Chief Counsel	69
7.0	<u>FUTURE AGENDA ITEMS</u>		
	Any committee members desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.		
8.0	<u>LEGAL COUNSEL REPORT</u>		
8.1	<u>Closed Session</u>		
	<ul style="list-style-type: none"><u>HDR Appeal</u> Conference with Legal Counsel – anticipated litigation Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9 (one potential case)<u>SCAG v. HCD & BT&H</u> Conference with Legal Counsel - existing litigation to be heard in closed session in pursuant to California Government Code Section §54956.9(a) Discussion re: appeal		

REGIONAL COUNCIL

AGENDA

PAGE #

TIME

Closed Session -- Cont'd

- Morrison v. SCAG
Conference with Legal Counsel Government Code
section 54956.9(a) Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066

9.0 ANNOUNCEMENTS

The E Region (NARC) Newsletter was emailed to all members. Additional copies will be available at the meeting.

10.0 ADJOURNMENT

The next meeting is scheduled for November 4, 2004 at SCAG Offices downtown Los Angeles.



SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS

September 2, 2004

MINUTES

THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Regional Council of the Southern California Association of Governments held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by the President Councilmember Ron Roberts, City of Temecula. There was a quorum.

Members Present

Councilmember Ron Roberts, Temecula, President	District 5
Supervisor Hank Kuiper, Imperial County, 1st VP	
Mayor Toni Young, Port Hueneme, 2 nd VP	District 45
Councilmember Bev Perry, Brea, Immediate Past President	District 22
Supervisor Yvonne Burke, LA County	
Councilmember Jo Shields, Brawley	District 1
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Lee Ann Garcia, Grand Terrace	District 6
Councilmember Susan Longville, San Bernardino	District 7
Councilmember Deborah Robertson, Rialto	District 8
Mayor Bill Alexander, Rancho Cucamonga	District 9
Mayor Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Marilyn Poe, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Tonia Reyes-Uranga, Long Beach	District 30
Councilmember Bea Proo, Pico Rivera	District 31
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Pam O'Connor, Santa Monica	District 41

Councilmember Paul Nowatka, Torrance	District 39
Councilmember Jim Aldinger, Manhattan Beach	District 40
Councilmember Mike Dispenza, City of Palmdale	District 43
Councilmember Dennis Washburn, Calabasas	District 44
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Robin Lowe, Hemet	RCTC
Supervisor Charles Smith, County of Orange	OCTA

Members Not Present

Supervisor Marion Ashley, Riverside County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Chris Norby, Orange County	
Supervisor Judy Mikels, Ventura County	
Supervisor Zev Yaroslavsky, LA County	
Councilmember Greg Pettis, Cathedral City	District 2
Mayor Ron Loveridge, Riverside	District 4
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Isadore Hall, Compton	District 26
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Councilmember Ted Burgnon, Town of Apple Valley	District 65
Mayor James Hahn, Los Angeles	At-Large
Mayor Bill Davis, Simi Valley	VCTC

Staff Present

Mark Pisano, Executive Director
Jim Gosnell, Deputy Executive Director
Heather Copp, Chief Financial Officer
Colin Lennard, General Counsel
Karen Tachiki, Chief Counsel
Hasan Ikrata, Director, Planning & Policy
Huasha Liu, Acting Director, Information Services
Shelia Stewart, Executive Assistant

3.0 CONSENT CALENDAR

The following consent calendar items were MOVED (Brown), SECONDED (Perry) and UNANIMOUSLY APPROVED.

3.1 Approval Items

3.1.1 Approve Minutes of Aug 5., 2004

3.1.2 Contracts

- Managing Excellence Consulting Services
- University of Southern California
- Kaku Associates

3.1.3 Approve Draft Disadvantage Business Enterprise Policy Statement

3.1.4 Approve California Trucking Association Membership Dues

3.2 Receive & File

3.2.1 Contracts & PO between \$5,000 - \$25,000

3.2.2 Conflict of Interest Listing

3.2.3 SCAG Legislative Matrix

3.2.4 Report on On-line banking with Bank of the West

3.2.5 Approval of NARC Membership Dues

3.2.6 Meeting Summary from Policy Committees

3.3 PRESIDENT'S REPORT

3.3.1 Appointments to Committee & Task Forces

President Roberts stated that current members not listed below shall continue their membership on the various committees and task forces.

Audit & Best Practices Oversight Subcommittee

Hon. Sid Tyler, Chair
Hon. Dick Stanford, Vice Chair
Hon. Lou Bone
Hon. Toni Young

Aviation Task Force

Hon. Judy Mikels, Chair

Benchmarks Task Force

Hon. Ron Loveridge, Chair
Hon. Debbie Cook, Vice Chair

Council Development & Nominating Committee

Hon. Ron Roberts, Chair
Hon. Bev Perry, Vice Chair
Hon. Bill Alexander
Hon. Marion Ashley
Hon. Glen Becerra
Hon. Paul Bowlen
Hon. Art Brown
Hon. Lawrence Dale
Hon. Hank Kuiper
Hon. Ron Loveridge
Hon. Judy Mikels
Hon. Llewellyn Miller
Hon. Tod Ridgeway
Hon. Bob Yousefian

Communication & Membership Subcommittee

Hon. Bea Proo, Chair
Hon. Glen Becerra, Vice Chair
Hon. Debbie Cook
Hon. Richard Dixon

Goods Movement Task Force

Hon. Art Brown, Chair
Hon. Harry Baldwin, Vice Chair
Hon. Tonia Reyes Uranga
John Shiner, U P

Compass Task Force

Hon. Bev Perry, Chair
Hon. Isadore Hall
Hon. Tod Ridgeway

District Evaluations Task Force

Hon. Greg Pettis, Chair
Hon. Paul Biane
Hon. Richard Dixon
Hon. Judy Mikels
Hon. Jo Shields
Hon. Paul Talbot

Finance Task Force

Hon. Richard Dixon, Chair
Hon. Llewellyn Miller, Vice Chair
Hon. Jim Aldinger

Personnel Committee

Hon. Bea Proo, Chair
Hon. Ron Roberts, Vice Chair
Hon. Ted Burgnon
Hon. Debbie Cook
Hon. Alta Duke
Hon. Tom Sykes
Hon. Paul Talbot

Regional Comprehensive Plan Task Force

Hon. Pam O'Connor, Chair
Hon. Susan Longville, Vice Chair
Hon. Jim Aldinger
Hon. Paul Bowlen
Hon. Ted Burgnon
Hon. Debbie Cook
Hon. Michael Feinstein
Hon. Lee Ann Garcia
Hon. Mike Miller

Regional Comprehensive Plan Task Force – Cont'd

Hon. Paul Nowatka
Hon. Gary Ovitt

Southwest Compact Task Force

Hon. Greg Pettis, Chair
Hon. Hank Kuiper, Vice Chair
Hon. Mike Dispenza
Hon. Carl Morehouse

Strategic Plan Implementation Task Force

Hon. Judy Mikels, Chair
Hon. Dennis Washburn, Vice Chair
Hon. Llewellyn Miller
Hon. Tod Ridgeway

Water Policy Task Force

Hon. Dennis Washburn, Chair
Hon. Margaret Clark, Vice Chair

3.4 EXECUTIVE DIRECTOR'S REPORT

Mark Pisano stated that on August 18 the Chair & Vice Chairs of the California Transportation Commissions invited the executive leadership of the transportation agencies as well as the county and regional agencies in the state to discuss the funding crisis in California. The purpose of the meeting was to develop a communication program throughout the State highlighting the funding crisis that the State is facing, as well as outlining how to explain to the public the effect these reductions will produce.

A basic program is being drafted starting with a media campaign program, in which MTA has agreed to take the lead. MTA will utilize their marketing personnel in developing an advertising and marketing program that can be used Statewide. The program will be conducted after the November elections.

With regard TEA-21 Reauthorization/Appropriation, Mr. Pisano noted that Congress passed a short-term bill that extended the current transit authorizing law through September 30th and a highway law through September 24. With members returning on September 7, Congress has less than a month to conclude work on the 13 appropriations bills by either completing work on a long-term reauthorization or to pass another temporary extension.

4.0 ACTION ITEMS

4.1 Administration Committee Report

4.1.1 Amendment to SCAG's Travel Policy

Councilmember Perry noted that there was one technical language change within the policy. Add the following language regarding web-rate ticketing: *the ability to hold web-based cancelled tickets for future flights*, be incorporated into the paragraph of the amended policy.

It was MOVED (Perry), SECONDED (Lowe) and UNANIMOUSLY APPROVED.

4.1.2 Amendment of Legal Services contract with Fulbright & Jaworski & establishment of Legal Services Subcommittee

Tabled.

4.1.3 Maglev 2004 Conference in Shanghai

The Administration Committee recommended that the RC approve seeking private funding for the trip, and if funds are not available, approve up to \$4,000 from the General Fund to send 2 staff member to the conference.

It was MOVED (Perry), SECONDED (Lowe) and UNANIMOUSLY APPROVED

4.2 Transportation & Communications Committee (TCC) Report

4.2.1 Draft 2004 Regional Transportation Improvement Program (RTIP)

Hasan Ikhata, Director, Planning & Policy stated that last month staff requested additional time be allowed to conduct inter-agency consultation for further analyses of funding and timely implementation issues, as well as to pursue regional strategies for overcoming these obstacles. Additionally staff would need time to respond appropriately to the FHWA's concerns about financial constraint and project completion schedules.

As a result of that request the commissions' staff worked with SCAG to resolve the issues on the projects listed. Mr. Ikhata noted that MTA helped in a big way by reprogramming \$260 million dollars back into the TCMs. President Ron Roberts, Immediate Past President Bev Perry, Supervisor Yvonne Burke, Councilmember Bea Proo, Councilmember Robing Lowe, Councilmember Art Brown and Supervisor Chuck Smith were thanked for their efforts in working with the appropriate commissions and SCAG to accomplish this effort.

In addition Mr. Roger Snoble, CEO, MTA presented comments regarding MTA's efforts in helping resolve the issues. He stated that the provisions that addresses the TCM will be presented at their September Board for approval.

President Roberts thanked Mr. Snoble and MTA for their work in taking the action to resolve the short-term conformity issues. He noted that SCAG is looking forward to a continuing work relationship with MTA.

It was MOVED (Brown) SECONDED (Perry, Lowe) and UNANIMOUSLY APPROVED to waive reading and approve Resolution 04-453-2.

4.3 Energy & Environment Committee Report

4.3.1 Resolution on Building Energy Efficiency

The resolution encourages SCAG jurisdictions to adopt an ordinance (based on a model) requiring new buildings to exceed state building energy standards by 10-15%, depending on the building type. In response to input from the Energy & Environment Committee, the resolution includes a provision requesting the California Energy Commission to make the state standards uniformly more stringent for all jurisdictions.

Hasan Ikhata stated that the action listed on the agenda calls for adopting Resolution 04-454-2 to encourage adoption of local building energy efficiency ordinances.

However staff recommends that no action be taken until the Energy Chapter of the Regional Comprehensive Plan (RCP) be reviewed and discussed for approval.

Public Comments

Todd Priest, Building Industry Association, So. California; Tara Bannister California Apartment Association and Andrew Casana, California Restaurant Association opposed the Resolution on Building Energy Efficiency.

Councilmember Clark, Vice Chair, stated that the EEC previously approved adopting the resolution in June, but the item was listed as an information item on the EEC agenda this month. Although she agreed with staff's recommendation to not take action, she moved the EEC's recommendation to adopt the resolution.

It was MOVED (Clark) and SECONDED (McCarthy)

Councilmember O'Connor, Chair, RCP Working Group, offered a substitute motion that no action be taken until the Energy Chapter of the Regional Comprehensive Plan (RCP) be reviewed both in terms of energy conservation as well as generation.

Regional Council members expressed concerns regarding receiving numerous emails of the same letter. Councilmember Perry stated that she met with BIA representatives to discuss finding other avenues and ways of notifying SCAG regarding opinions, rather than sending multiple emails containing the same information.

It was MOVED (O'Connor), SECONDED (Perry) and UNANIMOUSLY APPROVED to take no an action until the Energy Chapter of the RCP is reviewed.

4.3.2 CALFED Bay-Delta Improvements Package

The CALFED Bay-Delta Program began in 1995 to deal with a wide array of water issues and unfavorable trends affecting California's water future. The Bay-Delta area is the largest estuary in North America and is the heart of California's statewide water system. The Delta provides drinking water for two-thirds of the state's population and irrigation water to more than seven million acres of farmland. In the years leading up to the start of the Program the Delta was adversely affected by on-going deadlocks between competing water interests. These deadlocks exacerbated problems that took on statewide significance: fish species were disappearing, water quality was declining and water supplies were increasingly unreliable.

The EEC recommended adopting Resolution 04-454-1 encouraging CalFed agencies to fund and implement measures to maintain operational balance and coordinate operations.

It was MOVED (Clark), SECONDED (Brown) and UNANIMOUSLY APPROVED to waive reading and adopt Resolution 04-045-1

4.3.3 Adopt Resolution 04-453-2 2004 RTIP Air Quality Conformity

It was MOVED (Brown) SECONDED (Perry, Lowe) and UNANIMOUSLY APPROVED to waive reading and approve Resolution 04-453-2.

Added items

Councilmember Clark stated AB 2141 and AB 2006 require immediate action but arose after the posting of the agenda.

It was MOVED (Baldwin), SECONDED (Brown) and UNANIMOUSLY APPROVED to add AB 2141 and AB 2006 to the agenda for action.

AB 2141 (Longville)

In December 2002 the RC appointed Councilmember Susan Longville to the California Floodplan Management Task Force. The report was completed during that time and forwarded to the Legislature. The task force voted unanimously that future work needed to be done on the issues of alluvial fan. The task force consist of local government representatives, the BIA, the environmental and agriculture committee.

AB 2141 was a non-controversial bill in the Legislature and is now on the Governor's desk and requires no State funding. If signed the State will be asking for FEMA to pay for the cost of this bill.

The bill has been narrowed in the areas that are experiencing rapid development that are located in jurisdictions that have those areas in their general plan. It was recommended that the Regional Council approve sending a letter to Governor supporting this legislation.

It was MOVED (Perry), SECONDED (Young) and UNANIMOUSLY APPROVED.

AB 2006 (Bowen)

Councilmember Clark stated AB 2006 deals with electricity problems and felt that the bill would correct some of these issues. She stated that some of the opponents want more deregulation. She noted that the League of CA cities supported AB 2004. It was recommended that a letter of support be forwarded to the Governor.

It was MOVED (Clark) and SECONDED (Young).

Discussion

Several Regional Council members felt that only the large investors ie. So Calif Edison would benefit from AB 2006. Councilmember Flickenger felt that this bill should be closely reviewed.

After a lengthy discussion. A vote was taken.

There were 16 AYES and 11 NOES. The motion passed to send a letter of support to the Governor.

4.4 **Community & Human Development Committee (CEHD) Report**

4.4.1 **Policy Paper, "Promoting Regional and State Policy Objectives through Growth & Development Practices" July 2004**

The Governor has directed his cabinet to develop a growth policy for the State. The effort is chaired by Department of Business, Transportation and Housing Secretary Sunne Wright McPeak. The focus of these discussions is better coordination between growth, transportation, housing, and development planning. In order to contribute to these discussions, a policy paper was drafted by staff which outlined steps that the State might take to support the development policies inherent in the recently adopted Compass Growth Vision and 2004 RTP. The positions promoted by the paper include protecting funding for projects in the RTP, aligning available housing subsidy funds with regional plan priorities, acknowledging and rewarding local performance, and coordinating planning horizons for housing and transportation.

Councilmember Robertson, Chair, stated that the CEHD Committee recommended that the Regional Council approve this policy paper.

It was MOVED (Robertson), SECONDED (Stanford) and UNANIMOUSLY APPROVED.

4.5 **Communication Task Force (CTF) Report**

Councilmember Daniels presented the report. He stated that staff outlined a preliminary celebration program for SCAG's 40th anniversary as part of the GA. A number of ideas were presented from members. Members agreed with staff that the Biltmore Hotel, downtown Los Angeles would be a good venue, and liked the idea of having a reception and dinner for the celebration. CTF members also supported the idea of forming a host committee of RC members to help with ideas and fundraising. In addition, it was also suggested that sponsorships be widely sought, including some of our many vendors.

Homeland Security

SCAG will develop and incorporate a homeland security strategy as part of the Regional Comprehensive Plan. Institutional assessments of the roles and responsibilities of various agencies is currently underway. Staff reported that a conference, to be jointly sponsored by SCAG, USC, and UCLA, is being planned for December.

Other topics discussed included: (1) Recruiting New Members to this Task Force; (2) 2004 Regional Economic Forum; (3) Member Benefits Brochure; (4) Member Handbook; (5) Update on Native American Activities; and (6) Web-Navigation Re-design.

5.0 **INFORMATION ITEMS**

5.1 **Monthly Financial Report**

Heather Copp, CFO, gave a brief overview. She stated that the report contains financial data related to SCAG's cash flow, as well as budget and expense data for the month of July.

5.2 Membership Dues

Heather Copp stated that there are approximately 31 cities, one CTC and three counties that have not paid. SCAG's Government Relations is currently in the process of following up with each of the entities for remittance of the payment of dues.

5.3 FY 05-06 Overall Work Program Priorities

Jim Gosnell, Deputy Executive Director, stated that a list of OWP priorities will be provided to Regional Council members, management, subregional coordinators and others regarding their assessment of priorities.

6.0 FUTURE AGENDA ITEMS

None presented

7.0 LEGAL COUNSEL REPORT

7.1 Closed Session

It was MOVED (Perry), SECONDED (Brown) and UNANIMOUSLY APPROVED to enter into close session.

- HDR Appeal
Conference with Legal Counsel – anticipated litigation
Significant exposure to litigation pursuant to California
Government Code Subdivision C §54956.9
(one potential case)

In open session:

The Regional Council authorized the Executive Director and General Counsel to settle the litigation based upon 5 principals which were outlined in closed session.

- SCAG v. HCD & BT&H
Conference with Legal Counsel - existing litigation to be
heard in closed session in pursuant to California
Government Code Section §54956.9(a)
Discussion re: appeal

There was no report given.

- Morrison v. SCAG
Conference with Legal Counsel Government Code
section 54956.9(a) Morrison v. Southern California
Association of Governments et al. Superior Court,
Los Angeles County, Case No. BC 312066

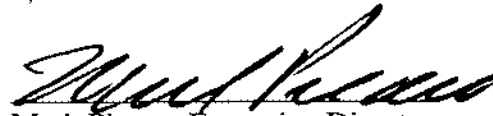
There was no report given.

9.0 ANNOUNCEMENTS

There were no announcements at this time.

10.0 ADJOURNMENT

The next meeting is scheduled for November 4, 2004 at SCAG Offices downtown Los Angeles.


Mark Pisano, Executive Director

REPORT

DATE: October 7, 2004

TO: Administration Committee
Regional Council

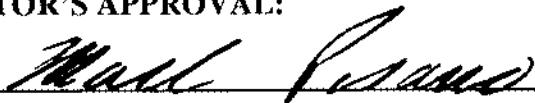
FROM: Shahab Rabbani, Associate Regional Planner
(213-236-1845) or Rabbani@scag.ca.gov

Sina Zarifi, Senior Transportation Planner
(213-236-1853) or Zarifi@scag.ca.gov

Marnie Tenden, Senior Communication Officer
(213-236-1860) or Tenden@scag.ca.gov

SUBJECT: Staff Activities Regarding Homeland Security Including Co-sponsorship
of a Regional Conference

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Authorize SCAG's co-sponsorship of a Homeland Security Conference in conjunction with UCLA.

SUMMARY:

In the fourth quarter of FY 2003-2004, SCAG initiated a steering committee on Regional Data & Information Sharing with a focus on Homeland Security. The Steering Committee met twice on May 5th and July 23rd of 2004. The committee members discussed the need for regional coordination on data and information sharing among jurisdictions in planning and preparation for emergency response in case of a large-scale regional disaster. In addition, committee members have proposed a regional conference on homeland security. The objectives of this conference are to open a dialogue between regional stakeholders on issues of terrorism and homeland security and to identify SCAG's roles and responsibilities in facilitating a regional coordination in homeland security. SCAG and UCLA staffs are working together to jointly organize a regional conference on homeland security for this fall.

In FY 2004-2005, SCAG will develop and incorporate homeland security as part of the new Regional Comprehensive Plan (RCP). This effort will consist of an assessment of the roles and responsibilities of federal, regional, and local government agencies identifying security issues pertaining to transit, goods movement, aviation, highways, and waterways, and determination of vulnerability of the regional transportation facilities and services. The Comprehensive Plan will address the availability of current data and future data needs for emergency preparedness and response planning in the region. In addition, the RCP will identify key deficiencies, as well as development of a program to disseminate and coordinate the information related to emergency preparedness and planning.

REPORT

BACKGROUND:

Given the regional nature of an incident of the scale and scope of the events of September 11th or of a sizeable natural disaster such as earthquake or fire, SCAG has potentially an important role in dissemination of data and information among jurisdictions. Since access to information is critical to any regional effort, SCAG's transportation, land use, and socioeconomic data and information can be shared by other agencies in case of emergency. Additionally, SCAG can play a critical role in facilitating a regional effort on homeland security through the planning process. A steering committee representing the SCAG region has been working with SCAG staff to outline regional needs for data and information sharing. The role of SCAG as the MPO in the region for data and information sharing as well as planning and coordination in such events were the main issues in both meetings.

FISCAL IMPACT:

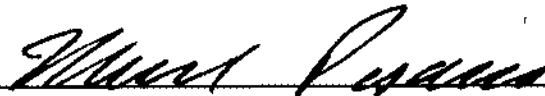
All work related to this program including staff time for the conference is budgeted within the adopted FY2004-2005 and does not require any additional financial resources. *th*

DOC#102277

REPORT

DATE: October 7, 2004
TO: Regional Council, Administration Committee
FROM: Barbara Dove, Government Affairs Analyst
(213) 236-1861, dove@scag.ca.gov
SUBJECT: **Proposed Date, Location, and Budget for
SCAG's 2005 General Assembly and
40th Anniversary Celebration**

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve the proposed date, location and estimated budget for SCAG's 2005 General Assembly and 40th anniversary celebration.


BACKGROUND:

The General Assembly (GA) is the annual meeting of the Association. The GA provides the opportunity for delegates from all member jurisdictions to gather and conduct the business of the organization. In recent years the annual meeting has been a one-day activity conducted in downtown Los Angeles with a \$15,000 budget from the General Fund. In the interest of austerity, this year the 2005 GA item in the General Fund account was reduced to \$10,000. This amount would be sufficient for a simple business session meeting as part of a regular Regional Council meeting day held at the SCAG offices.

However, 2005 is a milestone year, as SCAG will celebrate its 40th anniversary. Staff has consulted with President Roberts and the Communication & Membership Subcommittee on how to appropriately mark this event. This is a chance to invite SCAG alumni to share in a reunion celebrating our visionary efforts and accomplishments. Staff recommends that the occasion be commemorated with a reception and dinner as part of the General Assembly activities. An example of such an event is ABAG's (Association of Bay Area Governments) 40th anniversary celebration in 2001 where an evening banquet, supported by privately raised funds, was added to its GA. Staff further recommends that a Private Sector Host Committee be formed to solicit sponsorships from private sources to help defray the anticipated costs of such an anniversary celebration. Any solicitations would be based on careful review to ensure compliance with all applicable statutes and regulations.

Date: Wednesday and Thursday, May 4 and 5, 2005
Location: Downtown Los Angeles Hotel
Budget: Estimated cost to the General Fund is not to exceed \$10,000.
An estimated additional \$30,000 is to be secured from private sources.

BUDGET IMPACT:

The amount of \$10,000 was allocated in the FY 2004-2005 General Fund Budget to support this activity. 

BD # 102909
9/20/04

REPORT

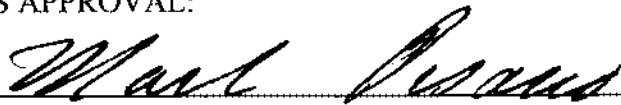
DATE: October 7, 2004

TO: Administrative Committee
Regional Council

FROM: Charles J. Wagner, Manager of Finance

SUBJECT: Caltrans Transportation Planning Grant Applications

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Authorize SCAG to apply for \$1,808,849 in Transportation Planning Grant Applications grant funds which are competitively awarded by Caltrans.

BACKGROUND:

Each year, Caltrans solicits applications for the following categories of transportation planning grants:

- Partnership Planning – planning studies of multi-regional and statewide significance. (\$1,000,000 available statewide; grant cap \$300,000.)
- Statewide Transit Planning Studies – transit studies of issues having statewide or multi-regional significance. (\$1,000,000 available statewide; grant cap \$300,000.)
- Transit Technical Planning Assistance – public and intermodal transportation planning studies in rural transit areas. (\$600,000 available statewide; grant cap \$80,000.)
- Transit Professionals Development – training and development of transit planning professionals and students. (\$400,000 available statewide; grant cap \$50,000.)
- Environmental Justice: Context Sensitive Planning- projects that promote public participation to improve mobility, access, equity affordable housing, and economic opportunities. (\$1,500,000 available statewide; grant cap \$250,000.)
- Community-Based Transportation Planning – transportation and land use planning that promotes public participation and supports livable community concepts. (\$1,500,000 available statewide; grant cap \$250,000.)

On an annual basis, Caltrans solicits applications statewide from Metropolitan Planning Organization (MPOs) and other local government and non-profit entities engaged in regional planning activities. For many of these categories, SCAG as the MPO for this region, must be the applicant, with cities, counties, public agencies, non-profits and Native American Tribal Governments as sub-recipients. Each type of grant requires cash and/or in-kind local match, ranging from 11.47% to 20.00% of the total project value. The FY 2004-2005 OWP includes 11 previously awarded Transportation Planning Grants reflecting over \$1,000,000 in total grant funding.

REPORT

SCAG staff has reviewed applications submitted by sub-recipients for completeness and compliance with Caltrans requirements. Application requirements include the provision that projects must demonstrate consideration of the criteria found in the Federal Planning Emphasis Areas and State Planning Priorities. SCAG has ensured that each project includes funding for SCAG staff to perform the overall project monitoring and administrative tasks that stem from SCAG's required role as project applicant. Per Caltrans requirements, each project will also be included the draft SCAG FY 2005-2006 OWP that is required to be submitted to Caltrans in early 2005.

Attached is a listing of the project applications received by SCAG. All applications are recommended for submittal to Caltrans by the required deadline of October 15, 2004. The listing includes the project name, the grant type and amount, the required match, and the sub-recipient. Caltrans anticipates awarding projects by July 2005.

FISCAL IMPACT

Awarded projects will provide additional funding to SCAG for administering the grant.



2005-2006 Transportation Planning Grant Applications

Project Title	Total Project	Grant Funds	Cash Match	In-Kind Match	Other	Source of Match	Actual Cash & In-Kind Match %	Type	Applicant/Co-Applicant
1 Commuter Rail Station Needs Assessment	348,937	300,000	33,037	15,900		OCTA, LACMTA, RCTC, SANBAG	0.1402	5313b	OCTA
2 South Bay 405/I-110 Corridor Improvement Planning Study	200,000	160,000	0	40,000		SBCCOG Cities	0.2000	Partnership Planning	South Bay COG
3 Commuter & Recreational Rail Service LA-Inland Empire-Coachella Valley	370,500	275,000	77,000	18,500		Tribe	0.2578	CBTP	Agua Caliente Band of Cahuilla Indians
4 N. LA Co Truck Study - Part II	125,000	100,000	0	25,000		NLACO Subregion	0.2000	Partnership Planning	City of Palmdale
5 Forrester Road Interregional Feasibility Study	85,976	68,849		17,127		IVAG	0.1992	Partnership Planning	IVAG
6 Transportation Planning Internship Program	68,000	50,000		18,000		City of LA Prop. C	0.2647	5313b	City of LA
7 Involving Leaders and Residents of Native American Reservations	150,000	135,000	7,500	7,500		Torres-Martinez Tribe	0.1000	EJ	SCAG/Torres-Martinez Band
8 Downtown LA Freeway System Study	750,000	300,000	250,000	50,000	150,000	City of LA, MTA, Local Prop C	0.4000	Partnership Planning	City of LA
9 City of San Bernardino Transportation System Study and Database Development	218,750	175,000		43,750		City of San Bernardino	0.2000	Partnership Planning	City of San Bernardino
10 Develop and Implement a Training and Education Program for Transit Professionals/Interns	50,830	45,000		5,830		City of San Bernardino	0.1147	5313B	City of San Bernardino
11 Rising Stars in Transit- Internships for University	60,000	50,000		10,000		RCTC	0.1667	5313B	RCTC
12 Performance Measures Application Handbook/Guidelines	187,500	150,000		37,500		Local Funds	0.2000	Partnership Planning	SCAG
Total	\$2,615,493	\$1,808,849	\$367,537	\$289,107	\$150,000				

Notes:

Actual match shown - may be higher than required minimum match

SP&R requires minimum 20% match

5313b requires minimum 11.47% match

EJ requires 10% match - half must be cash

CBTP requires 20% match - half must be cash

REPORT

DATE: September 9, 2004

TO: Administration Committee
Regional Council

FROM: Sam Mehta, Contracts Manager (213) 236-1813
Email: mehta@scag.ca.gov

SUBJECT: Contracts and Purchase Orders Between \$5,000 - \$25,000

RECOMMENDED ACTION: Information Only

SUMMARY:

SCAG executed the following contracts between \$5,000 and \$25,000

- Liebert Cassidy Whitmore \$24,500
Human Resource Legal Services
Funding Source: Indirect Overhead
- CPS Executive Search \$11,800
Human Resources Recruiter for ISD Director
Funding Source: Indirect Overhead

BACKGROUND:

Pursuant to the recommendations from the Best Practices Contracts Committee and KMPG, the Regional Council approved the execution by the Executive Director, Purchase Orders between \$5,000 and \$25,000 and the listing of all such Contracts and purchase orders on the agenda as information only.



REPORT

DATE: September 9, 2004

TO: Administration Committee
Regional Council

FROM: Sam Mehta, Manager; Contracts (213) 236-1813
Email: Mehta@scag.ca.gov

SUBJECT: Conflict of Interest Listing

RECOMMENDED ACTION: Information Only

Listing of all agenda items involving consultants, vendors, or other groups to all members to determine whether they have conflicts

3.2.1

- Liebert Cassidy Whitmore
- CPS Executive Search



MEMO

DATE: October 7, 2004
TO: The Regional Council
FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: eckelbec@scag.ca.gov
SUBJECT: State Legislative Matrix

SUMMARY:

Attached to this memorandum are the bills and constitutional amendments of interest to the Regional Council.

As of this writing on September 16th, the Governor may still sign or veto bills in his possession until September 30th. Several bills on which SCAG took positions remain on the Governor's desk, as is indicated on the matrix. Government Affairs will provide an update on the Governor's actions at the October 7th meeting.

CAP#98918



SOUTHERN CALIFORNIA
ASSOCIATION of GOVERNMENTS

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Private file: AirQuality

CA AB 1971 **AUTHOR:** Lowenthal (D)
TITLE: Air Pollution: Marine Terminals
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/12/2004
LAST AMEND: 07/12/2004
LOCATION: To Governor
SUMMARY:
 Relates to requirements that each marine terminal in the state operate in a manner that does not cause the engines on trucks to idle or queue for more than 30 minutes while waiting to load or unload at the terminal. Makes several clarifying changes to those provisions regarding the application of the above requirements with respect to both idling and queuing. Requires air control districts to make a determination with regard to queuing trucks.
STATUS:
 08/27/2004 *****To GOVERNOR.
NOTES: Lowenthal Staff: Josh Tooker (916) 319-2054
COMMENTARY:
 In 2003, SCAG supported the original Lowenthal bill that created the idling and queuing prohibition, AB 2650.
Position: SCAG-Sup 04/07/2004

CA AB 2042 **AUTHOR:** Lowenthal (D)
TITLE: Ports: Port of Los Angeles: Port of Long Beach
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/17/2004
LAST AMEND: 08/17/2004
LOCATION: Enrolled
SUMMARY:
 Requires the South Coast Air Quality District to establish a baseline for air quality for the Ports of Los Angeles and Long Beach. Provides the baselines would be based on data regarding emissions from oceangoing vessels, harbor craft, cargo handling equipment, rail locomotives and commercial motor vehicles. Requires the district, the two ports and the Air Resources Board to develop and enter into a memorandum of understanding to implement emission control measures at those ports.
STATUS:
 08/25/2004 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
 08/25/2004 Enrolled.
NOTES: Lowenthal Staff: Josh Tooker (916) 319-2054
COMMENTARY:
 Considered by the EEC 5/6/04 and 6/3/04. Amendment submitted to Assembly Member Lowenthal adding SCAG to the groups consulted in the MOA and including user-supported, dedicated infrastructure among possible emission control measures.

CA AB 2628 **AUTHOR:** Pavley (D)
TITLE: Vehicles: Preferential Lanes
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/20/2004
LAST AMEND: 08/23/2004
LOCATION: To Governor
SUMMARY:
 Includes a 2004 model year ultra-low emission vehicle and a hybrid vehicle that meets the State's advanced technology partial zero-emission vehicle standard for criteria pollutant emissions and has a 45 miles per gallon or greater fuel economy highway rating and a hybrid vehicle that was produced during the 2004 model year or earlier and has a 45 miles per gallon or greater fuel highway rating and ultra- and super ultra-low emission vehicles to list of vehicle using HOV lanes.
STATUS:
 09/13/2004 *****To GOVERNOR.
Position: CALCOG-Opp, SCAG-Opp 06/03/2004

Private file: EconomicDevelopment

CA AB 1855 **AUTHOR:** Maze (R)
TITLE: 000023

Infrastructure and Economic Development Bank
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/29/2004
ENACTED: 07/23/2004
LOCATION: Chaptered
CHAPTER: 189
SUMMARY:

Relates to the Bergeson-Peace Infrastructure and Economic Development Bank Act that requires the California Infrastructure and Economic Development Bank to establish criteria, priorities and guidelines for the selection of projects to receive assistance from the bank. Requires the bank to notify the Governor and the legislative fiscal and policy committees when it establishes or makes changes to the criteria, priorities and guidelines.

STATUS:

07/23/2004

Signed by GOVERNOR.

07/23/2004

Chaptered by Secretary of State. Chapter No. 189

Private file: Energy

CA AB 2006

AUTHOR: Nunez (D)
TITLE: Electrical Restructuring Public Utility Commission
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/13/2004
LAST AMEND: 08/25/2004
LOCATION: To enrollment
SUMMARY:

Requires the Public Utilities Commission to hold a hearing to review any settlement agreement that has a certain ratepayer obligation requirement. Requires electrical corporations to file a long-term integrated resource plan. Requires the commission to submit a plan to streamline the transmission siting process. Requires the Independent System Operator to establish resource adequacy requirements to ensure generating capacity to serve load requirements and to meet peak demands.

STATUS:

08/27/2004

In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.

Position:

SCAG-Sup 09/02/2004

Private file: Environment

CA AB 2055

AUTHOR: Wolk (D)
TITLE: General Plan Elements
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/17/2004
LAST AMEND: 08/16/2004
LOCATION: To Governor
SUMMARY:

Provides the conservation element may include the conservation of agricultural lands. Provides the open space element, which would be renamed as a agricultural and open space element, is the component of a county or city general plan adopted by the legislative body. Provides subjects that may be included in the agricultural and open-space element.

STATUS:

08/31/2004

*****To GOVERNOR.

CA AB 2251

AUTHOR: Lowenthal (D)
TITLE: Hazardous Waste Facilities Permits: Financial Assurance
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/19/2004
LAST AMEND: 08/16/2004
LOCATION: To enrollment
SUMMARY:

Requires a hazardous waste facility owner or operator intending to extend the term of the facility's permit to submit a complete application before the permit expires. Authorizes the owner or operator to to change the facility structures or equipment using a Class 1* permit if it is determined that the change is necessary to comply with state and federal laws or air quality standards. Requires a facility financial

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assurance be a trust fund, surety bond or other authorized assurance.

STATUS:

08/27/2004 From SENATE Committee on APPROPRIATIONS: To second reading without further hearing pursuant to Senate Rule 28.8.
 08/27/2004 In SENATE. Read second time. To third reading.
 08/27/2004 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.
 08/27/2004 Re-referred to ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
 08/27/2004 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Recommend concurrence in SENATE amendments.
 08/27/2004 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.

Private file: Housing

CA AB 2158

AUTHOR: Lowenthal (D)**TITLE:** Housing Elements: Regional Housing Need**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/18/2004**LAST AMEND:** 08/17/2004**LOCATION:** To Governor**SUMMARY:**

Relates to city, county or city and county general plan housing element. Revises the procedures for determining shares of the existing and projected regional housing need for cities, counties and subregions at all income levels.

STATUS:

09/07/2004 *****To GOVERNOR.

COMMENTARY:

SCAG staff participates on the Lowenthal Working Group that crafted this bill.

Position: CSAC-Sup, SCAG-Sup 06/03/2004

CA AB 2348

AUTHOR: Mullin (D)**TITLE:** Housing Element: Regional Housing Need**FISCAL COMMITTEE:** yes**URGENCY CLAUSE:** no**INTRODUCED:** 02/19/2004**LAST AMEND:** 08/23/2004**LOCATION:** Enrolled**SUMMARY:**

Revises the criteria for the inventory of sites to require sites to be identified that can be developed for housing within the planning board to accommodate that portion of a city's or county's share of regional housing need for all income levels. Expands the relocation assistance available to persons displaced by sites identified for substantial rehabilitation. Revises the requirements that may be imposed on a development project that contributes to the housing need.

STATUS:

08/27/2004 In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.

08/27/2004 Enrolled.

COMMENTARY:

SCAG Staff participates in the Lowenthal Working Group that drafted AB 2348.

Position: CSAC-Pending, SCAG-Sup 06/03/2004

CA AB 2702

AUTHOR: Steinberg (D)**TITLE:** Housing: Second Units**FISCAL COMMITTEE:** no**URGENCY CLAUSE:** no**INTRODUCED:** 02/20/2004**LAST AMEND:** 08/23/2004**LOCATION:** To Governor**SUMMARY:**

Provides that local agency ordinances, regulations or policies may not preclude or effectively preclude 2nd units unless the local agency makes certain findings. Prohibits a local agency from adopting an ordinance that requires an owner's dependent or caregiver to occupy the primary dwelling or 2nd unit or that limits occupancy based on familial status, age or other specified characteristics. Prohibits the imposition of deed restrictions or minimum unit size requirements on the 2nd unit.

STATUS:

000025

09/08/2004

Position:

*****To GOVERNOR.

CSAC-Opp, SCAG-Opp 06/03/2004

CA SB 898	AUTHOR:	Burton (D)
	TITLE:	Schoolsite Replacement Housing
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/21/2003
	ENACTED:	09/14/2004
	LOCATION:	Chaptered
	CHAPTER:	495
	SUMMARY:	
	Authorizes a community college district or an eligible nonprofit corporation to acquire real property to replace dwelling units displaced by a new schoolsite under the same conditions and requirements as a local governing agency. Requires that the acquisition be from a willing seller.	
	STATUS:	
	09/14/2004	Signed by GOVERNOR.
	09/14/2004	Chaptered by Secretary of State. Chapter No. 495
	Position:	League-Opp
CA SB 1145	AUTHOR:	Burton (D)
	TITLE:	Tenancy
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	01/22/2004
	LAST AMEND:	06/08/2004
	LOCATION:	To Governor
	SUMMARY:	
	Extends indefinitely existing law which requires that if a landlord increases the rent of a month-to-month tenancy in excess of 10% of the amount of the rent charged to a tenant annually, the landlord shall provide an additional 30-days' notice prior to the effective date of the increase. Modifies the list of statements a landlord must provide a tenant to delete a required statement regarding a claim of security.	
	STATUS:	
	08/20/2004	*****To GOVERNOR.
CA SB 1818	AUTHOR:	Hollingsworth (R)
	TITLE:	Density Bonuses
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/20/2004
	LAST AMEND:	08/23/2004
	LOCATION:	To Governor
	SUMMARY:	
	Relates to the Planning and Zoning Law which requires, when a housing developer proposes a development, that the city or county provide the developer with a density bonus or other incentives for the production of lower income housing units if the developer meets certain requirements. Requires that the local government provide a density bonus, incentives or concessions for the production of housing or child care facilities.	
	STATUS:	
	09/03/2004	*****To GOVERNOR.

Private file: SCAG

CA AB 2207	AUTHOR:	Levine (D)
	TITLE:	Statistical Districts: San Fernando Valley
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/18/2004
	ENACTED:	07/19/2004
	LOCATION:	Chaptered
	CHAPTER:	181
	SUMMARY:	
	Requires any state agency or department that develops and maintains data and statistics on the municipal level, to make a separate breakdown of the San Fernando Valley, in the preparation and maintenance of any statistical analyses by city. Authorizes state agencies to require the City of Los Angeles to provide all necessary data. Provides for an alternative method be used to determine the	

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separate breakdown if a tax area code is used in the analysis.

STATUS:

07/20/2004

Chaptered by Secretary of State. Chapter No. 181

COMMENTARY:

The statistical data that will be provided as the result of enactment of AB 2207 will assist SCAG's planning efforts.

Position:

SCAG-Sup 04/02/2004

Private file: SolidWaste

CA AB 1873

AUTHOR:

Hancock (D)

TITLE:

Solid Waste: Recycling Market Development

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/03/2004

ENACTED:

09/14/2004

LOCATION:

Chaptered

CHAPTER:

500

SUMMARY:

Extends the operation and repeal of the Recycling Market Development Revolving Loan Program, including the extension of the operation and repeal of the continuously appropriated subaccount thereby continuing the effect of the program indefinitely.

STATUS:

09/14/2004

Signed by GOVERNOR.

09/14/2004

Chaptered by Secretary of State. Chapter No. 500

Position:

CSAC-Watch

Private file: Transportation

CA AB 1663

AUTHOR:

Dutra (D)

TITLE:

Vehicle Additional Registration Fees

FISCAL COMMITTEE:

yes

URGENCY CLAUSE:

no

INTRODUCED:

02/21/2003

ENACTED:

09/14/2004

LOCATION:

Chaptered

CHAPTER:

514

SUMMARY:

Relates to the additional fees charged on all commercial motor vehicles for vehicle registration used for vehicle theft crime programs, to extend the repeal date for such fees. Requires each participating county to issue a fiscal year-end report to the Controller, summarizing certain matters. Provides if a county fails to submit the report, the authority to collect the fee would be suspended. Requires the review of such reports to determine if the fee revenues are being utilized as required.

STATUS:

09/14/2004

Signed by GOVERNOR.

09/14/2004

Chaptered by Secretary of State. Chapter No. 514

Position:

League-Sup

CA AB 2024

AUTHOR:

Bermudez (D)

TITLE:

Ports: Transportation Network

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/13/2004

LAST AMEND:

08/19/2004

LOCATION:

To Governor

SUMMARY:

Requires the ports of Los Angeles and Long Beach to evaluate changes in goods movement network to gauge adherence by these ports to certain state goals relative to utilization of and congestion at ports and to collect statistics regarding compliance with federal, state and local efforts to achieve certain related objectives and to report to the Business, Transportation and Housing Agency, the Office of Goods Movement and the legislative committees on transportation.

STATUS:

09/09/2004

*****To GOVERNOR.

NOTES:

Bermudez Staff: Paul Gonsalves (916) 319-2056

COMMENTARY:

000027

Similar to AB 2041 (Lowenthal).

CA AB 2032	AUTHOR: Dutra (D) TITLE: HOT Lanes: Demonstration Projects FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/13/2004 ENACTED: 09/09/2004 LOCATION: Chaptered CHAPTER: 418 SUMMARY: Authorizes the San Diego Association of Governments, the Sunol Smart Carpool Lane Joint Powers Authority, the Santa Clara Valley Transportation Authority and the Alameda County Congestion Management Agency to undertake value pricing programs involving various HOT lanes under the jurisdiction of these sponsoring agencies. Requires a portion of the funding from tolls to be used for construction of high-occupancy vehicle facilities and the improvement of transit services. STATUS: 09/09/2004 Signed by GOVERNOR. 09/09/2004 Chaptered by Secretary of State. Chapter No. 418 Position: CALCOG-Sup
CA AB 2043	AUTHOR: Lowenthal (D) TITLE: Maritime Port Strategic Master Plan Task Force FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/17/2004 LAST AMEND: 07/07/2004 LOCATION: To Governor SUMMARY: Requires the California Marine and Intermodel Transportation System Advisory Council to meet on an unspecified basis, hold public hearings, and compile data on certain issues relating to the growth and congestion of maritime ports. Requires the council to compile specified information and submit its findings to the Legislature on methods to better manage that growth and the environmental impact of moving goods through ports. STATUS: 08/24/2004 *****To GOVERNOR. NOTES: Lowenthal Staff: Josh Tooker (916) 319-2054
CA AB 2628	AUTHOR: Pavley (D) TITLE: Vehicles: Preferential Lanes FISCAL COMMITTEE: no URGENCY CLAUSE: no INTRODUCED: 02/20/2004 LAST AMEND: 08/23/2004 LOCATION: To Governor SUMMARY: Includes a 2004 model year ultra-low emission vehicle and a hybrid vehicle that meets the State's advanced technology partial zero-emission vehicle standard for criteria pollutant emissions and has a 45 miles per gallon or greater fuel economy highway rating and a hybrid vehicle that was produced during the 2004 model year or earlier and has a 45 miles per gallon or greater fuel highway rating and ultra- and super ultra-low emission vehicles to list of vehicle using HOV lanes. STATUS: 09/13/2004 *****To GOVERNOR. Position: CALCOG-Opp
CA AB 3047	AUTHOR: Assembly Transportation Committee TITLE: Transportation FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 03/01/2004 LAST AMEND: 07/15/2004 LOCATION: To Governor SUMMARY: Authorizes the Transportation Commission to relinquish portions of certain highways to specified local agencies. Revises projects supported by the toll surcharge on bay area toll bridges. Relates to the statement on a smog certificate upon the transfer of a motor vehicle. Relates to provisions governing the

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traffic violation point system. Relates to the provisions governing the fee for abatement of abandoned vehicles. Relates to placards and plates for disabled persons.

STATUS:

09/01/2004

*****To GOVERNOR.

CA SB 924 **AUTHOR:** Karnette (D)
TITLE: Global Gateways Development Council
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/21/2003
LAST AMEND: 06/24/2004
LOCATION: To Governor
SUMMARY:
 Establishes the Global Gateways Development Council in the Business, Transportation and Housing Agency, to review and collect data and information concerning the needs of commercial transportation and to advise the Legislature, the agency, the Transportation Commission, and regional transportation planning agencies in that regard. Requires the council to report annually to the Governor on the condition of the State's goods movement transportation system.
STATUS:
 08/31/2004 *****To GOVERNOR.

CA SB 1087 **AUTHOR:** Soto (D)
TITLE: Highways: Safe Routes To School Construction Program
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 01/05/2004
ENACTED: 09/09/2004
LOCATION: Chaptered
CHAPTER: 392
SUMMARY:
 Extends the repeal date of projects for the improvement of highway safety and the reduction of traffic congestion. Extends the operation of the Safe Routes to School construction program. Requires the department to continue to study the effectiveness of the program and to report to the Legislature by March 1, 2007.
STATUS:
 09/09/2004 Signed by GOVERNOR.
 09/09/2004 Chaptered by Secretary of State. Chapter No. 392
Position: CSAC-Watch

CA SB 1210 **AUTHOR:** Torlakson (D)
TITLE: Design-Sequencing Contracts
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/10/2004
LAST AMEND: 08/26/2004
LOCATION: To Governor
SUMMARY:
 Relates to the Department of Transportation pilot project to let design-sequencing contracts for the design and construction of not more than 12 transportation projects. Establishes a phase 2 of this pilot project. Requires the Director of Transportation to consider selecting projects that improve interregional and intercounty routes.
STATUS:
 09/03/2004 *****To GOVERNOR.

Private file: WaterQuality

CA AB 2141 **AUTHOR:** Longville (D)
TITLE: Floodplain Management: Alluvial Fan Task Force
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2004
LAST AMEND: 05/20/2004
LOCATION: To Governor
SUMMARY:

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Requires the Director of Water Resources to establish the Alluvial Fan Task Force to review the state of knowledge regarding alluvial fan floodplains and to prepare recommendations relating to alluvial fan

Policy Committee Summaries

September 2004

The following summaries contain Action Items under the purview of the respective Committee.

Community, Economic, and Human Development Committee

Item #	Summary
4.1	<p><u>Regional Comprehensive Plan</u></p> <p>Jacob Lieb, Acting Lead Regional Planner, presented an overview of staff's proposed concepts and approaches for the preparation of a Regional Comprehensive Plan (RCP). The RCP is intended to promote the implementation regional policies and programs, including the Regional Transportation Plan (RTP) and the Compass Growth Vision. The plan will facilitate external, independent actions by creating action plans and menus of options within each topic chapter.</p> <p><i>The Committee voted unanimously to recommend that the Regional Council approve the program concepts and approaches with the addition of a chapter on education, and with adjustments in the program schedule.</i></p>

Energy and Environment Committee

Item #	Summary
5.1	<p><u>2004 Regional Transportation Improvement Program (2004 RTIP) Air Quality Conformity</u></p> <p>The Committee was asked to recommend that the Regional Council approve the air quality conformity determination for the 2004 RTIP as part of resolution #04-453-2. The federal Clean Air Act requires the Regional Council to determine transportation air quality conformity for the 2004 RTIP.</p> <p><i>The Committee voted to recommend that the Regional Council approve the air quality conformity determination for the 2004 RTIP.</i></p>

Policy Committee Summaries

September 2004

The following summaries contain Action Items under the purview of the respective Committee.

Energy and Environment Committee - continued

Item #	Summary
Addendum	The EEC took two special actions to recommend that the RC send a letter of support for two bills currently approved by the Legislature and awaiting action by the Governor.
	The EEC recommended that the RC authorize the SCAG President to send a letter to the Governor urging his support of AB 2141 (a flood plain management bill). In January 2004, SCAG President Bev Perry sent a letter to the Governor urging support for the recommendations of the state task force on flood plain management. Subsequent to January, AB 2141 was developed, passed by the Legislature, and sent to the Governor for signature.
	The EEC recommended that the RC authorize the SCAG President to send a letter to the Governor urging his support of AB 2006, the Reliable Electric Service Act of 2004. The bill clarifies an investor-owned electric utility's (IOU) obligation to serve direct-access customers, what costs it may recover in regard to new generation resources, and specifies long-term planning in which an IOU must engage.

Transportation and Communications Committee

Item #	Summary
4.1	<p><u>Draft 2004 Regional Transportation Improvement Program</u></p> <p>Mr. Roger Snoble indicated that the MTA would pursue bonding as well as reallocate funds in order to fund TCM projects in the RTIP. This action will be taken to the MTA board at their September 23 meeting.</p> <p><i>The Committed voted to recommend that the Regional Council adopt the resolution.</i></p>

Policy Committee Summaries

September 2004

*The following summaries contain Action Items under the
purview of the respective Committee.*

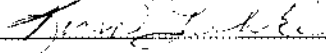
Transportation and Communications Committee - continued

Item #	Summary
4.2	<p><u>Maglev 2004 Conference, Shanghai</u></p> <p>Staff requested that the TCC approve an expenditure of \$4,000 to send two representatives to the Maglev conference in Shanghai.</p> <p><i>The Committee voted to recommend that the Regional Council authorize expenditures to send SCAG representatives to Maglev conference in Shanghai.</i></p>

REPORT

DATE: September 23, 2004
TO: Administration Committee and Regional Council
FROM: Jim Gosnell
SUBJECT: 05/06 Work Program Priorities

Executive Director Approval:



Recommended Action: Approve recommended priorities for next year.

Summary: At last month's meeting the Administration Committee requested we identify what the required work is that SCAG must accomplish with an estimate of funds needed for that work. This is to allow you the opportunity to better link priorities to funds that might be available after addressing the requirements. Staff has prepared a summary of that information and a recommendation for priorities for next year. There is estimated \$19,100,000 (we have not received an estimate from CALTRANS) available in our Consolidated Planning Grant (SCAG's primary source of funding each year) and the staff estimates that about \$17,500,000 is needed for the required activities. Staff is recommending priority be given to data/modeling, financial planning, and further refinement of the 2% strategy for additional work. These priorities should be a guide for the remainder of the funds. (See Attachment 1 for Priority Methodology)

Background:

SCAG's work program must address several federal and state statutory and regulatory requirements. As the MPO, there are three primary products required: A Regional Transportation Plan (RTP), a Transportation Improvement Program (TIP), and an Overall Work Program (OWP). Recently an additional requirement was placed on SCAG to adopt a "Regional Architecture" for "Intelligent Transportation System". SCAG is responsible for public involvement and consultation for the planning activities in which it is involved and to address environmental justice requirements. In addition there are specifications for monitoring certain activities (vehicle miles of travel, pavement conditions, etc.). There are specific federal regulations and guidelines implementing these basic statutory transportation requirements.

There are also state statutory requirements and regulations which govern our work. These are generally similar to federal requirements for the RTP and TIP. There are other transportation requirements such as those regarding our role in Congestion Management Programs, Aviation Planning, and Ground Access (there are also federal requirements related to aviation issues). We also must meet CEQA requirements for the Plan.

SCAG must also address state and federal requirements related to air quality planning as well as conformity requirements for transportation. SCAG has responsibilities under state and federal Executive Orders regarding intergovernmental review/coordination of major projects. Finally, SCAG has requirements related to housing (RHNA) and waste management planning. SCAG must maintain adequate databases, analytical tools and administrative processes to ensure we carry out these responsibilities successfully.

Attached ("Attachment 2") is a matrix providing citations and references for your information.

The bulk of SCAG's measures are for transportation and transportation related planning activities and their administrations. There are specific requirements and guidelines for these primary products (RTP, TIP and OWP). This is where we typically spend the majority of the budget.

General
Estimate of Expenditures
Required Work

Transportation Plan	3,000,000
Environmental (EIR)	1,000,000
TIP	900,000
DATA	3,200,000
MODELING (GIS)	4,300,000
Conformity/Air Quality	1,200,000
MONITORING	700,000
Public Involvement/Consultation	1,600,000
OWP (Including Contribution)	<u>1,600,000</u>
	(CPG funds) 17,500,000
Aviation	(separate FAA grant) 700,000
Housing Related Work	?

The required work is done primarily by SCAG with help from consultants and subregions.

These estimates include the matching requirements. It is very early in the process to include these as final figures. For example, the last 2 years we have had to absorb a reduction in CPG funds after the year began. The Aviation grant is not a certainty. Staff will also be in the process of preparing the key work for the next revision of the RTP and that dictates more funds for that effort (e.g. more resources for subregions to help on policy input or certain data requirements).

Priorities for 05/06: See Attached

Fiscal Impact: The action will help staff develop next year's budget within available measures and could provide direction for additional grant proposals for certain activities.

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Fiscal Year 2004/2005 OWP Priorities

Based on feedback from the Administrative Policy Committee and Regional Council, the SCAG management staff met to try to further refine the priority recommendations for FY 2004/2005 and determine a methodology for evaluating our core activities and trying to prioritize them. In trying to evaluate the priorities, we were trying to determine what activities would require additional emphasis/ resources, accomplish the greatest good, and prepare for possible situations that SCAG may be forced to address in the coming Fiscal Year. (See "Table 1" on next page.)

Methodology:

The left side of the chart depicts possible scenarios that SCAG may be faced with during FY 2004/2005. The row at the top depicts thirteen (13) core activities that SCAG performs. Some of these are required activities and some are not. For each scenario, an X was placed in box of those activities that would need to be emphasized if that particular scenario were to occur. The size of the X is related to the proportionate emphasis that would need to be placed on that activity.

Results and Recommendation:

This resulted in three (3) core activities and one external activity that the staff feels need to be emphasized as priorities for the coming FY 2004/2005 to keep the Agency moving forward and deal with any scenario or combination of scenarios that might occur. In addition to the three (3) priorities listed below, SCAG also needs to be aware that legislative actions will be occurring and will probably need to be addressed regardless of the scenario. The three (3) priorities are:

- 2% Strategy
- Financial Strategy
- Data/ Modeling

"Table 1"

Priority Matrix

Scenarios	Leg. Actions	Corridors	Comp Plan	Water Quality	Air Quality	2% Strategy	Aviation	Goods Movement	Financial Strategy	MagLev	Housing	Data/Modeling	Monitoring
TIP Amendment • RTP Amendment • Conformity Lapse	X (Provision)				X	X	X	X	X (STP Traditional Funding)	X	X	X	X
Governor's Initiatives • CPR • State Policy Changes • RHNA	X	X	X	X	X	X (Increase Demo Projects)	X	X	X (All types of funding)	X	X (Accelerate 20yr land inventory)	X	X
Financial Chaos • No Federal Re-authorization • Continued shortfall in state budget	X	X	X	X	X	X	X	X	X (More intense than conformity lapse)	X	X	X	X
Status Quo • Continued Growth Patterns	X	X	X	X	X	X	X	X	X	X	X	X	X

“Attachment 2”

State/Federal Codes and Regulations Guiding SCAG Activities

Action/Program	State Code/Regulation	Federal Code/Regulation
Overall Work Program, Grant Administration, Contracts, MPO Certification Overall Work Program development and review, including: -OWP -OWPA -Master Fund Transfer Agreement -Quarterly Progress and Expenditure Reports -Mid-Year Reviews -Closeout/Year-End Package	Caltrans guidelines: -MPO OWP Guidance (Apr. 16, 2002) -OWPA Fund Instructions (Jul. 3, 2001) -Regional Planning Handbook (Feb. 4, 2002) -RTP Guidelines (Dec. 16, 1999) -Intermodal Planning Group Themes memorandum (May 15, 2002)	-Code of Federal Regulations Title 23 (Highways) Section 420.101 et seq. and Section 450.314 (The OWP is California's version of the Federal Unified Planning Work Program)
Planning fund eligibility	-Public Utilities Code Section 99233.2 (re: TDA Local Transportation Fund) -Public Utilities Code Section 99311 (re: Public Transportation Account)	-US Code Title 23 (Highways) Sections 104(f) (re: FHWA PL funds) and 505 (re: FHWA SP&R funds) -US Code Title 49 (Transportation) Section 5338 (re: FTA Section 5303 and SP&R funds) -US Code Title 49 (Transportation) Section 5303 (re: grants for study and evaluation) -US Code Title 49 (Transportation) Section 5313(b) (re: state assistance to MPOs) -FTA Circular 8100.1B – Program Guidance and Application Instructions for Metropolitan Planning Program Grants (Oct. 25, 1996) -FTA Circular 8200.1 – Program Guidance and Application Instructions for State Planning and Research Program Grants (Dec. 27, 2001)

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State/Federal Codes and Regulations Guiding SCAG Activities

Action/Program	State Code/Regulation	Federal Code/Regulation
<ul style="list-style-type: none"> -Grant administration and accounting practices -Indirect Cost Negotiation Agreement and Cost Allocation Plan -Annual Fiscal and Compliance Audit Report -State Controllers Report 	<ul style="list-style-type: none"> -State Administrative Manual -Caltrans guidelines: -Local Program Procedures (LPPs) -Local Assistance Program Guidelines (Mar. 14, 2002) -MPO OWP Guidance (Apr. 16, 2002) -OWPA Fund Instructions (Jul. 3, 2001) -Regional Planning Handbook (Feb. 4, 2002) -Public Utilities Code Section 99406 -Government Code Section 53891 	<ul style="list-style-type: none"> -Code of Federal Regulations Title 48 (Federal Acquisition Regulations System) Part 1 et seq. -Code of Federal Regulations Title 49 (Transportation) Part 18 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) -US Code Title 31 (Money and Finance) Section 7501 et seq. -OMB A-87 Cost Principles for State, Local, and Indian Tribal Governments -OMB A-102 Grants and Cooperative Agreements with State and Local Governments -OMB A-133 Audits of States, Local Governments, and Non-Profit Organizations -FTA Circular 5010.1C - Grant Management Guidelines (Oct. 1, 1998)
<ul style="list-style-type: none"> Non-discrimination in federally-assisted programs; disadvantaged business enterprise; equal employment opportunity 	<ul style="list-style-type: none"> -Caltrans Civil Rights Program 	<ul style="list-style-type: none"> -US Code Title 42 (Public Health and Welfare) Section 2000(d) et seq. (known as Title VI of the Civil Rights Act of 1964); -Title VI Assurance under US Code Title 23 (Highways) Section 324 and US Code Title 29 (Labor) Section 794; -US Code Title 42 (Public Health and Welfare) Section 12101 et seq. (known as the Americans with Disabilities Act of 1990); -Code of Federal Regulations Title 49 (Transportation) Parts 21, 26, 27, 37, and 38 -Presidential Executive Order 11246, as amended

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State/Federal Codes and Regulations Guiding SCAG Activities

Action/Program	State Code/Regulation	Federal Code/Regulation
Procurement of goods and services	-State Contracting Manual (Sep. 14, 2001) -Caltrans Service Contracts Manual (Mar. 20, 2000) -Local Assistance Procedures Manual (Dec. 17, 2001) -Consultant Selection Guidebook (Apr. 27, 2001)	-Code of Federal Regulations Title 48 (Federal Acquisition Regulations System) Part 1 et seq. -FTA Circular 4220.1D - Third Party Contracting Requirements (amended Aug. 4, 1998)
Contract provisions – lobbying		-US Code Title 31 (Money and Finance) Section 1352
Contract provisions – Clean Air Act/Clean Water Act requirements		-US Code Title 33 (Navigation and Navigable Waters) Section 1368 -US Code Title 42 (Public Health and Welfare) Section 7606 -Code of Federal Regulations Title 23 (Highways) Section 633.211 -Presidential Executive Order 11738
MPO Certification		-Code of Federal Regulations Title 23 (Highways) Section 450.334
Joint powers agreements	-Government Code Section 6502 et seq.	
Regional Transportation Planning		
RTP	-Government Code Section 65080 et seq.; -Regional Planning Handbook (Feb. 4, 2002) -RTP Guidelines (Dec. 16, 1999)	-US Code Title 23 (Highways) Sections 134 and 135 -US Code Title 49 (Transportation) Sections 5303-5306; -Code of Federal Regulations Title 23 (Highways) Section 450.300 et seq.
RTP PEIR	-Public Resource Code Section 21000 et seq. (CEQA); -Public Resource Code Section 21002.1 & 21080(d) (EIR); -Code of Regulations Title 14 (Natural Resources), Div. 6, Ch. 3 (CEQA Guidelines)	

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State/Federal Codes and Regulations Guiding SCAG Activities

Action/Program	State Code/Regulation	Federal Code/Regulation
RTIP	-Government Code Section 65082; -Government Code Section 14527	-US Code Title 23 (Highways) Sections 134 and 135 -US Code Title 49 (Transportation) Sections 5303-5306; -Code of Federal Regulations Title 23 (Highways) Section 450.324 et seq.
Apportionment of CMAQ and RSTP funds to the county transportation commissions	-Streets and Highways Code Sections 182.6 and 182.7	-FHWA Memorandum: Guidance on CMAQ Under the TEA-21 (Apr. 28, 1999)
Congestion Management System	-Government Code Section 65088.5 -Government Code Section 65089 et seq. (re: review of County CMPs)	-US Code Title 23 (Highways) Section 134 -US Code Title 49 (Transportation) Section 5305 -Code of Federal Regulations Title 23 (Highways) Sections 450.320 and 500.109
Air Quality Planning		
Assist with regional air quality planning	-Health and Safety Code Section 40460 (SCAQMP: conduct regional demographic projections integrating land use, housing, employment, and transportation program measures and strategies; analyze & provide emission data)	-US Code Title 42 (Public Health and Welfare) Section 7504
Conformity to SIP (RTP and RTIP)		-US Code Title 42 (Public Health and Welfare) Section 7506(c); -Code of Federal Regulations Title 40 (Protection of Environment) Section 93.100 et seq.
Transportation Control Measures	-Health & Safety Code Section 40717 (known as the California Clean Air Act)	-US Code Title 42 (Public Health and Welfare) Section 7408; -Code of Federal Regulations Title 40 (Protection of Environment) Part 93

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State/Federal Codes and Regulations Guiding SCAG Activities

Action/Program	State Code/Regulation	Federal Code/Regulation
Intergovernmental Review		
Intergovernmental Review and Areawide Clearinghouse	<ul style="list-style-type: none"> -Public Resources Code Sections 21083 and 21087 -Code of Regulations Title 14 (Natural Resources), Div. 6, Ch. 3, Section 15206 (CEQA Guidelines) -Governor's Executive Order D-24-83 (re: review of EIRs prepared for projects of regional significance to determine their consistency with regional plans) 	<ul style="list-style-type: none"> -Presidential Executive Order 12372 (re: intergovernmental review of programs proposed for federal financial assistance and direct development activities)
Interagency Consultation	<ul style="list-style-type: none"> -Government Code Section 65070 -Public Utilities Code Section 130000 et seq. (specifically Section 130059, also known as AB1246) 	<ul style="list-style-type: none"> -US Code Title 23 (Highways) Section 134 -Code of Federal Regulations Title 23 (Highways) Part 450 -Code of Federal Regulations Title 40 (Protection of Environment) Section 93.105
Dispute Resolution	-Government Code Section 66030 et seq.	
Environmental Justice and Public Participation		
Environmental Justice	-Government Code Section 65040.12 (defines environmental justice; directs the California Office of Planning and Research to develop guidelines for city and county general plans)	<ul style="list-style-type: none"> -US Code Title 42 (Public Health and Welfare) Section 2000d et seq. (known as Title VI of the Civil Rights Act of 1964); -US Code Title 42 (Public Health and Welfare) Section 12101 et seq. (known as the Americans with Disabilities Act of 1990); -Presidential Executive Order 12898; -US DOT Environmental Justice Order (1997); -FHWA Order 6640.23
Public Participation (RTP, RTIP)	-Government Code Section 65090	<ul style="list-style-type: none"> -US Code Title 23 (Highways) Sections 134 and 135 -US Code Title 49 (Transportation) Sections 5303-5306 and 5323; -Code of Federal Regulations Title 23 (Highways) Section 450.316 -Code of Federal Regulations Title 40 (Protection of Environment) Section 93.156

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State/Federal Codes and Regulations Guiding SCAG Activities

Action/Program	State Code/Regulation	Federal Code/Regulation
Regional Housing Needs Assessment		
Regional Housing Needs Assessment	-Government Code Section 65584 et seq.	
Waste Management		
Areawide Waste Treatment Management Plan (Section 208)		-US Code Title 33 (Navigation and Navigable Waters) Section 1288 (known as Section 208 of the Federal Water Pollution Control Act)
Regional Hazardous Waste Management Plan	-Health and Safety Code Section 25135.3	
Aviation Planning		
RTP Airport Ground Access	-Government Code Section 65081.1	-Code of Federal Regulations Title 23 (Highways) Section 450.316
California Aviation System Plan	-Public Utilities Code Sections 21701-06	
Clean Cities and eCommute		
Clean Cities		-The Clean Cities Program was established in 1994 by the U.S. Department of Energy (DOE) and designed to support locally based government/industry voluntary partnerships in the expanded use of vehicles operating on alternative fuels.
eCommute		-eCommute is the result of a Congressional Act (Public Law 106-69, Oct. 1999) that proposed pilot programs to measure the effectiveness of an emissions trading incentive for businesses to implement telework programs. The EPA, South Coast Air Quality Management District (SCAQMD), Southern California Association of Governments (SCAG) and Southern California Economic Partnership, are bringing this innovative, incentive-based pilot program to interested employers in this region.

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REPORT

DATE: September 21, 2004

TO: Regional Council
Administration Committee

FROM: SCAG Officers

SUBJECT: Recommendations Regarding Legal Services

RECOMMENDATION: We are requesting that you approve:

1. The proposed amendments to the F&J Legal Services Agreement. (Scope of Work and Rates-See Attachment A).
2. The establishment of a Legal Services Subcommittee of the Regional Council (See Attachment B).
3. The authority of Chief Counsel to enter into contracts for legal services of less than \$25,000 in consultation with the Executive Director, General Counsel and the Legal Services Subcommittee.

SUMMARY:

As a result of an extensive review by the SCAG officers of the legal services provided to SCAG by our outside General Counsel, Colin Lennard, and our in-house Chief Counsel, Karen Tachiki, and as a result of meetings with Counsel and the Executive Director, the officers of SCAG recommend the establishment of a Legal Services Subcommittee of the Regional Council, the members of which shall be the officers of SCAG. In addition, we recommend that Chief Counsel, after consultation with the Executive Director and General Counsel, shall have authority to enter into contracts of less than \$25,000.00 and shall report the letting of said contracts to the Legal Services Subcommittee. General Counsel and Chief Counsel shall meet to eliminate any duplication of legal services at the Policy Committees and Administrative Committee.

A. Proposed Amendment To Fulbright & Jaworski Agreement For Legal Services

Enclosed for your review as Attachment A, are the Proposed amendments to the Legal Services Agreement with Fulbright & Jaworski (F&J). We are only attaching those provisions of the Agreement relating to "Scope of Work" and a chart relating to the proposed changes in F&J rates under the Agreement. We have not included the rest of the provisions of the Agreement since they are boiler plate provisions required by CalTrans.

B. Legal Services Subcommittee

Enclosed for your review as Attachment B, is our recommendation as to the specific duties, obligations and other matters required of the Legal Subcommittee.

C. Requested Action

We are requesting that you approve:

1. The proposed amendments to the F&J Legal Services Agreement. (Scope of Work and Rates-See Attachment A).
2. The establishment of a Legal Services Subcommittee of the Regional Council (See Attachment B).
3. The authority of Chief Counsel to enter into contracts for legal services of less than \$25,000 in consultation with the Executive Director, General Counsel and the Legal Services Subcommittee.

REPORT

ATTACHMENT A

PROPOSED AMENDMENTS TO LEGAL SERVICES CONTRACT

2. Scope of Work

A. General Counsel Services to Be Provided.

General Counsel legal services shall include but are not limited to the following:

- (1) Advising and consulting with the Regional Council and its Committees on legal matters;
- (2) Defending or conducting litigation on behalf of SCAG at the direction of the Regional Council;
- (3) Attending Regional Council meeting and Committee meetings;
- (4) Attending additional meetings with SCAG staff as is requested;
- (5) Providing additional legal services as is requested by Chief Counsel;
- (6) Providing additional services as requested by Regional Council.

B. Commencement of Defense of Litigation.

Prior to commencement of defense of any litigation on behalf of SCAG, General Counsel shall provide to the Regional Council and the legal subcommittee established by the Regional Council, a litigation budget with respect to the approximate legal costs to be incurred and shall provide status updates to the legal subcommittee and the Regional Council as requested.

3. Management of General Counsel Services

- A. General Counsel shall consult, confer and coordinate all work pursuant to this Agreement with SCAG through the Regional Council legal subcommittee, the Chief Counsel and if requested, through the Executive Director. In addition, General Counsel shall copy Chief Counsel as appropriate on all correspondence, pleadings or other communications in connection with any legal services provided under this Agreement.
- B. General Counsel shall submit all invoices to the Regional Council legal subcommittee for review on a time schedule to be determined by the Committee. In addition, General Counsel shall submit all invoices to Chief Counsel for review and approval.
- C. The legal subcommittee of the Regional Council shall determine whether the General Counsel's performance is in accordance with the requirements of this Agreement and is satisfactory. The legal subcommittee shall report to the Regional Council on these matters as required.

REPORT

- D. It is agreed that Colin Lennard shall be the General Counsel responsible for providing General Counsel's services pursuant to this Agreement. Other attorney's in the firm may be assigned as deemed necessary after coordination and consultation with Chief Counsel. No change in the designation of General Counsel shall be made without the prior written approval of the Regional Counsel.

REPORT

FULBRIGHT & JAWORSKI L.L.P. BILLING RATES

PRESENT HOURLY RATES TO SCAG	FULBRIGHT & JAWORSKI STANDARD HOURLY RATES	PROPOSED RATES TO SCAG
Colin Lennard, Partner.....\$195 (1990-2004)*	\$465	Blended Rate of \$255
Patricia Chen, Associate\$255	\$320	
Susan Lee, Associate\$175	\$230	
All Other Litigation Partners**.....\$295 - \$475	\$295 - \$475	
All Other Litigation Associates**\$205 - \$325	\$205 - \$325	

* Colin Lennard has not had any increase in his hourly rate since 1990.
** Insurance pays part of litigation hourly rates.

REPORT

ATTACHMENT B **LEGAL SERVICES SUBCOMMITTEE**

I. GENERAL

A Legal Services Subcommittee of the Regional Council is hereby established to oversee, review and make recommendations to the Regional Council on legal services provided to SCAG.

II. MEMBERSHIP

The members of the Legal Services Subcommittee shall be the officers of SCAG as provided under the SCAG By-Laws, including the past President. The President shall serve as the Chair of the Subcommittee.

III. MEETINGS

The Legal Services Subcommittee shall meet every other month or as necessary by call of the Chair.

IV. DUTIES OF SUBCOMMITTEE

The duties of the Subcommittee shall include, but not be limited to the following:

- A. Review General Counsel's billing invoices on a time schedule set by the Subcommittee.
- B. Review and make recommendations, if necessary, to the Regional Council on requested reports on legal issues submitted by General Counsel or Chief Counsel.
- C. Review and make recommendations to Regional Council on new Legal Undertakings by SCAG in excess of \$25,000.00 (including litigation), as to whether General Counsel shall provide said new services or whether SCAG shall send out a Request for Proposal (RFP) for said legal services. The RFP, if any, shall conform to SCAG's policies and practices applicable to RFPs.
- D. Review and make recommendations, if necessary, to the Regional Council on legal services agreements entered into by Chief Counsel.
- E. Review and make recommendations to the Regional Council on any other matter referred to the Subcommittee by the Regional Council.
- F. Meeting with General Counsel and Chief Counsel on an as needed basis.

V. LITIGATION REPORTS FROM GENERAL COUNSEL

General Counsel shall submit a report to the Subcommittee on each new litigation matter for SCAG which report shall include the following:

- A. The nature of the litigation.
- B. The proposed estimated legal budget for the litigation.
- C. Qualifications of General Counsel to handle the litigation.

MEMO

DATE: October 7, 2004
TO: Regional Council
FROM: Hasan Ikhata, Director Planning and Policy
Phone (213) 236-1944, ikhata@scag.ca.gov
SUBJECT: 2004 Regional Transportation Improvement Program

RECOMMENDATION: Information Item

SUMMARY:

The Regional Council at their September 2, 2004 meeting approved the 2004 Regional Transportation Improvement Program. Subsequently, the 2004 RTIP was formally transmitted to the state and federal agencies for their review and approval. Staff will provide you with an update on the status of the RTIP approval and on MTA Board action on funding TCM's.

FISCAL IMPACT:

All work related to approving the recommended staff action is contained within the adopted 2004-05 budget and does not require the expenditure of any additional financial resources.



REPORT

DATE: October 7, 2004

TO: Energy and Environment Committee
Regional Council

FROM: Daniel Griset, Senior Planner, (213) 236-1895, griset@scag.ca.gov

SUBJECT: SCAG Assistance on Intergovernmental Framework for Water Quality

EXECUTIVE DIRECTOR'S APPROVAL:

RECOMMENDED ACTION:

The Water Policy Task Force recommends that the Executive Director be authorized to offer SCAG's assistance to the Los Angeles Regional Water Quality Control Board for development of an intergovernmental framework through which comprehensive and coordinated Total Maximum Daily Load (TMDL) implementation planning can be done for water quality compliance in the Los Angeles River watershed.

BACKGROUND:

At its meeting on September 9 the Water Policy Task Force heard testimony from a panel of speakers who discussed the Los Angeles River Metals TMDL proposed by the Los Angeles Regional Water Quality Control Board. A TMDL is a pollution control plan that is required by the Clean Water Act when water impairments are identified by local or state authorities. One of the water quality impairments of the Los Angeles River owes to the presence of metals in certain River reaches. As a result the Regional Board recently proposed a set of rules for eliminating the impairments, along with a plan for implementing specified control measures. The details of this Metals TMDL were described to the Task Force by Melinda Becker, a member of the Board staff.

The other speakers on the panel represented the following parties: the County of Los Angeles, the City of Los Angeles, the City of Burbank, the Coalition (of Cities) for Practical Regulation, and Caltrans District #7. Each speaker listed a variety of concerns with the proposed TMDL. The gravity of these concerns, already expressed at previous Board workshops, were sufficient to cause the Board to delay its adoption of a plan on September 2, 2004. (As a result, the federal court mandated deadline for the adoption of the Metals TMDL by the Board will require the USEPA to promulgate interim plan requirements without a TMDL implementation plan.)

One panelist brought forward a concern about the need for intergovernmental cooperation and coordination on Los Angeles River issues. He noted that 34 cities along the Los Angeles River each have responsibility for improving the water quality of the River but have no local agency framework in which to cooperate on policy and planning issues and on comprehensive, cost-effective



REPORT

implementation of pollution controls.

This concern tracks closely with SCAG's continuing interest and past support for local agency initiatives that use an "areawide" or watershed approach in planning and implementing the pollution controls needed to eliminate water impairments in the watersheds in the SCAG region.

This effort would focus on the planning and implementation of what are often referred to as "regional solutions". While this kind of strategy minimizes the duplication of environmental efforts and creates needed cost efficiencies for financially-strapped local agencies, it also requires the development of a intergovernmental framework in which these agencies can reach decisions, adopt cooperative measures and fund shared obligations. The Task Force believes that SCAG can facilitate this institutional framework and contribute to efforts will bring more cost-effective decision making to Los Angeles River watershed initiatives.

This approach to "regional solutions" is the subject of on-going discussions between staff and leaders in the California Councils of Government organization and elsewhere. These discussions address the need for a partnership approach between water quality regulators and the local governments responsible for compliance with discharge permits and other pollution control requirements in Basin Plans throughout California. This new approach would bring changes in the way the state's water quality process is structured. If adopted by state decision makers, this new approach would create new roles for local jurisdictions to the plan and implement pollution control measures and related programs. In these roles local jurisdictions would work closely with the state's water quality regulators who are responsible for determining beneficial uses and setting water quality objectives and for other rulemaking.

In the event that the Los Angeles Regional Water Quality Control Board responds favorably to this proposed offer of assistance, staff will work with the staff of the Board and of affected local jurisdictions to draft a conceptual implementation framework for the review and consideration of all affected parties.

FISCAL IMPACT: The offer by SCAG to assist in the development of an intergovernmental framework for water quality efforts along the Los Angeles River will have no fiscal impact on SCAG. The staff expense related to work on these water issues is supported by funding from work element 05-320. Any subsequent work resulting from a favorable response by the Regional Board will be the subject of a future report by staff to the appropriate policy committee(s) and the Regional Council.

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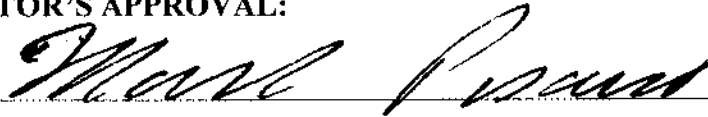
TO: Regional Council

FROM: Community, Economic and Human Development Committee (CEHD)
Jacob Lieb, Acting Lead Regional Planner, (213) 236-1921, lieb@scag.ca.gov

SUBJECT: Regional Comprehensive Plan Concepts and Approach

DATE: October 7, 2004

EXECUTIVE DIRECTOR'S APPROVAL:



RECOMMENDED ACTION:

Approve proposed concepts and approaches for the Regional Comprehensive Plan.

BACKGROUND:

As part of the approval of the SCAG Strategic Plan on October 3, 2002, as well as the approval of the Compass Growth Vision on June 3, 2004, the Regional Council has directed the creation of a new Regional Comprehensive Plan (RCP). The purpose of this RCP is to serve as a tool for implementing regional policies and programs, in particular the Regional Transportation Plan, its associated Program Environmental Impact Report, and the Compass Growth Vision. The RCP consolidates and translates programs and policies of SCAG in order to facilitate and promote external, independent actions. The Fiscal Year 04-05 Work Plan calls for SCAG to take all steps necessary to complete a draft plan. Review and adoption of a final RCP is planned for Fiscal Year 05-06.

Staff presented this action item to the Community, Economic, and Human Development Committee (CEHD) at the September 2, 2004 CEHD meeting. Staff has incorporated the comments made by the CEHD into this report. The CEHD recommended that the Regional Council approve the proposed concepts and approaches for the RCP.

SCAG staff has taken several steps in preparation for the RCP update, including

1. Creating a preliminary concept paper,
2. Creating a draft plan outline,
3. Creating a draft outreach plan, and
4. Compiling a preliminary catalogue of standing SCAG policies.

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REPORT

These preliminary products are attached. Taken as a whole, they lay out the concepts and approaches proposed for the completion of the RCP. There are several issues of note for consideration, which are discussed briefly below.

Foremost, the plan process is intended to compile existing policies and to set out practical implementation options. As such, staff does not envision extensive new policy making deliberations for the RCP.

For the development of the RCP, SCAG envisions a public outreach effort that is targeted to stakeholder audiences. The specific purpose of such outreach is to determine the best structure for action plans and implementation options for the target audience (primarily local governments, transportation agencies, and other government entities). Through this outreach effort, however, new policy options may emerge, particularly in areas outside SCAG's core transportation, land use, and housing topics. The RCP may identify areas of regional policy deficiency that the Regional Council can address in the future.

The recently adopted Compass Growth Vision will serve as the central theme of the RCP. The plan will contain a discussion of the vision and the potential implications for the plan's audience. Further, each topic chapter will contain a discussion on applicable Growth Principles (Mobility, Prosperity, Livability, and Sustainability).

As the policy committee which has purview over the Growth Vision, and comprehensive planning generally, the CEHD Committee will guide the overall effort for the RCP. However, chapter and topic issues that clearly pertain to environmental and transportation issues will be decided by the Energy and Environment Committee and the Transportation and Communication Committee respectively. All three committees will receive regular progress updates.

ATTACHMENTS:

- Concept and Preliminary Work Plan
- Preliminary Outline
- Preliminary Outreach Program
- Preliminary Regional Policy Catalogue

FISCAL IMPACT:

Preparation of the Regional Comprehensive Plan is included in the SCAG Overall Work Program for Fiscal Year 2004-2005 (WBS 05-035) *etc*

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**SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS**

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**SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
2004-2005 REGIONAL COMPREHENSIVE PLAN
CONCEPT AND PRELIMINARY WORK PLAN
OCTOBER 2004**

Purpose:

The Regional Comprehensive Plan (RCP) promotes policy objectives of the Regional Council, fulfills and implements the new organizational Strategic Plan, and serves to assist outside parties in implementing regional plans. As such, the Regional Comprehensive Plan is an extension of SCAG's other, on-going planning efforts, notably, the Regional Transportation Plan (RTP) along with the RTP Program Environmental Impact Report (PEIR), Regional Transportation Improvement Plan, and Southern California COMPASS. The RCP serves to consolidate and translate those efforts to promote external, independent action.

Features of the Plan

- **Comprehensive:**
The RCP, as noted above, is primarily intended as a guide for local governments and other external entities in interpreting and implementing other regional plans and policy objectives. As such, it focuses on areas of SCAG responsibility as defined by Federal and State law, including transportation planning, air quality, housing, and growth. A chapter is dedicated to each of these areas. However, in recognition of the inter-connected-ness of planning disciplines, and with an eye toward outcomes, the RCP treats all issues related to the region's overall well being. As such, chapters are dedicated to such issues as the economy, resource management as well as other (tbd).
- **Action Oriented**
The RCP will describe conditions and objectives around each issue. However, the major focus of each chapter will be on specific actions for specific identified stakeholders. The RCP will be the primary tool for implementing mitigation measures committed by SCAG in the RTP PEIR. Further, the RCP will create definitions and delineate thresholds for SCAG's Inter-Governmental Review efforts.
- **Advisory**
SCAG is a voluntary member organization comprised of local governments, and creates a forum with the ability to affect policy and practice of outside parties. As such, the RCP is intended to be an advisory document that clearly lays out steps that local governments and others can choose to take in support of regional objectives. The decision to pursue such objectives belongs solely to the independent actor. That said, SCAG will work proactively to demonstrate the benefits of pursuing the objectives identified in the plan.

- **Long Range**

The RCP is intended to work as a companion piece to other planning efforts around the region and state. Though the RCP is updated by SCAG periodically (approximately 3-5 years), the plan itself will discuss long term actions and outcomes for the region. At a minimum, the RCP will feature the same 25-year planning horizon featured in the RTP. At the same time, the plan will discuss shorter-term goals and objectives analogous to the horizons in the RTP.

- **Format**

As described above, and similar to previous RCP, the plan will contain a chapter each devoted to identified issue areas. These areas will include transportation, environment, growth/land-use, and housing (exact titles tbd). Other areas will be added based on future discussion. Each chapter will contain a like format which will include a description of a specific regional policy objective(s) current conditions, a discussion of potential approaches, and recommended actions/menu of options for specified stakeholders.

Preparation

- **Policy Guidance**

As noted above, the RCP serves to advance policy objectives as determined by the Regional Council and featured in other SCAG plans. Particularly of note, the Southern California Compass (Growth Visioning) project features several specific recommendations for local governments aimed at improving land-use and urban form in the region and building efficiencies in the transportation system. The 2005 RCP will contain special emphasis on local implementation actions that emerge from the Compass program.

- **Cooperative Approach**

As the RCP is intended to facilitate action by outside parties, the process for developing the plan must be open and participatory. The plan will be based around established Regional Council policies. In addition, SCAG proposes to involve local and other levels of government, private industry groups, residents and other stakeholders in the development of the plan. SCAG will utilize various on-going public outreach and involvement efforts to this end, but may also form a single purpose, ad-hoc advisory group for this purpose.

- **Timelines**

Drafting of some chapters, based on assignment in 2003-04 Work Programs, will proceed prior to July 2004. Otherwise, plan milestones and progress will be as follows:

1. Policy Committee, public dialogue on policy objectives
July - September 2004
2. Regional Council sign-off on project plan, policy objectives

- October 2004
3. Stakeholder participation process
September 2004 - June 2005
 4. Drafting
January - June 2005
 5. Draft Review, Policy Committees and Regional Council
June 2005
 6. Adoption
Summer or Fall 2005

**SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
REGIONAL COMPREHENSIVE PLAN
PRELIMINARY OUTLINE
October 2004**

PLANNING SUBJECT AREA

Synopsis: The Regional Comprehensive Plan will bring together the diverse range of programs and plans developed by SCAG, and synthesize these within the strategic context of the recently adopted Compass Growth Vision. SCAG's purpose in preparing this document is to better connect regional-scale planning efforts with city, county, and independent actions. In order to best serve potential users, the Regional Comprehensive Plan will be organized into topical chapters focusing on specific planning areas. Where possible, these chapters will be consistent with and supportive of required local General Plan elements. For continuity, each chapter will have a similar format, and consistent sub-sections. In general, each chapter will have three broad components--an introductory portion describing prevailing conditions, policies and indicators; an analytic portion which draws out the reciprocal linkages between each planning area and the Compass Principles of Livability, Prosperity, Mobility, and Sustainability; and an action component which presents mandatory as well as recommended measures and best management practices. Through this organization, the RCP will strengthen the connectivity between the recently adopted Compass Growth Vision and each of SCAG's planning areas in a consistent and accessible manner.

As follows:

Introduction and Executive Summary

- i) Purpose of RCP
- ii) SCAG's broad policy goals
- iii) Use of the document

Introduction and Discussion of Compass Growth Vision as Major Theme

1) Transportation

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)

*How indicators will be handled in the RCP requires more discussion. Likely, the RCP will simply record the results of other on-going efforts (Compass, Benchmarks Task Force, etc.)

**Best practices will be developed through advisory group deliberations and literature review.

- ii) Advisory
- iii) Best Practices**

2) Land Use

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

3) Housing

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

4) Air Quality

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

5) Economy

- a) Background:

*How indicators will be handled in the RCP requires more discussion. Likely, the RCP will simply record the results of other on-going efforts (Compass, Benchmarks Task Force, etc.)

**Best practices will be developed through advisory group deliberations and literature review.

- i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

6) Energy

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
 - b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
 - c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

7) Water

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
 - b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
 - c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

8) Habitat and Open Space

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
 - b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
 - c) Action:

*How indicators will be handled in the RCP requires more discussion. Likely, the RCP will simply record the results of other on-going efforts (Compass, Benchmarks Task Force, etc.)

**Best practices will be developed through advisory group deliberations and literature review.

- i) Mandatory actions (EIR mitigations)
- ii) Advisory
- iii) Best Practices**

9) Solid Waste

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

10) Education

- a) Background:
 - i) Discussion, current conditions
 - ii) SCAG policies
 - iii) Measurement/Indicators*
- b) Analysis:
 - i) Responsiveness of the theme to the Growth Vision principles
- c) Action:
 - i) Mandatory actions (EIR mitigations)
 - ii) Advisory
 - iii) Best Practices**

*How indicators will be handled in the RCP requires more discussion. Likely, the RCP will simply record the results of other on-going efforts (Compass, Benchmarks Task Force, etc.)

**Best practices will be developed through advisory group deliberations and literature review.

**SCAG
REGIONAL COMPREHENSIVE PLAN
PRELIMINARY OUTREACH PROGRAM
OCTOBER 2004**

Background and Purpose

The Regional Comprehensive Plan (RCP) is an implementation tool for existing policies and programs of SCAG. Its purpose is to consolidate, translate, and interpret policies included in the 2004 RTP, the Growth Vision, and other plans and documents in order to promote independent actions of external parties. As such, the RCP development is not, on its own, a policy making exercise. This outreach plan reflects that premise.

Outreach is to be conducted during the course of preparation and adoption of the Regional Comprehensive Plan in order to assure that the document is useful for external parties and effective in reaching overall plan objectives. Further, the development of the RCP should be viewed as a member service and as an example of SCAG pursuing regional leadership in support of its mission and Strategic Plan.

Outreach specific to the RCP is to be limited in nature. While the plan will be developed in an open public process, the purpose of outreach is to collect input from specific stakeholders for specific issues. However, the RCP will be part of the larger outreach and public relations efforts of SCAG in general and the Compass program, in particular. In those settings, RCP-specific content will describe what the plan is, and how it fits in the context of SCAG programming. In particular, the RCP will be described as one of the implementation efforts of the Compass regional vision. Material of this type will likely consist of 2-3 slides to be incorporated into presentation on general SCAG or Compass topics.

Definition

Outreach and involvement for RCP is to be a dialogue and exchange of ideas between SCAG and stakeholders groups that will inform the development of the plan.

Stakeholders

Primary

Primary stakeholders are members of SCAG – local governments, sub-regions, and CTCs.

Secondary

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Secondary stakeholders are other government entities – State, Fed. Special district

Tertiary

Tertiary stakeholders are private entities that are capable of affecting desired plan outcomes – e.g. developers

Proposed outreach options

- **Regional Comprehensive Plan Task Force**

The SCAG President will appoint a task force of Regional Council members and policy committee members. The task force will include participation by the stakeholders identified above in this document.

- **Topic Specific Groups**

For topics outside of SCAG's core planning areas, including energy, habitat, waste, etc., staff will convene topic specific experts and interests in a workshop format. The purpose of these workshops will be to review the overall goals of SCAG and the RCP, to discuss policies held by other regional agencies, and to determine appropriate direction for action plans. At the determination of each topic specific groups, this process may be extended to a series of no more than 4 meetings each.

- **Focus group**

A focus group can be useful in refining the approach and content of the plan since it can involve people other than the regularly participating stakeholders. At one or two appropriate points in the development of the RCP, a focus group will be convened, including primary, secondary, and tertiary stakeholders, for the purpose of getting feedback on the usefulness of the RCP.

- **Introductory outreach efforts**

SCAG will undertake various efforts during the first half of FY04-05 to introduce the RCP effort and answer basic questions. These efforts will include presentations to the Regional Council, policy committees, Sub-Regional Coordinators, and subregions. Additionally, staff will prepare fact sheets and material for other SCAG presentations. These materials will emphasize the context in which the RCP fits (implementation tool for RTP, Compass), and familiarize the audience with the work program and schedule. The audience for this introductory effort is SCAG's regular business partners (RC, sub-regions, etc.)

- **Periodic events**

RCP events will be together or in close coordination with the Compass program. At a minimum, SCAG will hold a kickoff event for all of the region's City Managers and Planning Directors. The event will review SCAG policies contributing to the RCP and invite input on how to make the plan useful and effective in a local setting. This event will also help to populate the on-going task force. Additional events may be desirable when a draft plan is completed or near completion.

- Electronic communication

SCAG may wish to dedicate a web page to RCP development issues and updates. This would likely be best accomplished in coordination with the COMPASS program. Further, SCAG may use a list serve.

- Internal on-going public process

The direction of the RCP effort will be from the CEHD Committee, with advice from the Ad-hoc Task Force/Working Group. Issues related to specific topic areas (e.g. housing, air quality) will be under the purview of the appropriate policy committee. Regular updates will be provided to the policy committees for information. The RCP work effort describes milestones where RC action would be required. However, regular updates will also be provided.

- External on-going public process

SCAG will provide presentations on request for sub-regions and local governments (e.g. City Council meetings).

- Materials

The RCP effort will provide materials for use in on-going SCAG and Compass outreach programming. This will consist of slide presentations, fact sheets, and web content describing the purpose and intent of the RCP along with progress updates.

**SCAG
REGIONAL COMPREHENSIVE PLAN
PRELIMINARY REGIONAL POLICY CATALOGUE
OCTOBER 2004**

The Regional Comprehensive Plan (RCP) will compile all current and applicable policies created by the Regional Council (RC). SCAG staff has conducted a review of current plans and RC actions upon which to build the RCP. This catalogue describes the different types of policies and how they will be treated in the creation of the plan.

CURRENT MAJOR PLANS

The principles, goals, policies, and strategies in current major plans will be included in the RCP.

1. The **2004 Regional Transportation Plan (RTP)** contains six specific goals, six priorities, and five guiding policies, as follows:

Goals

1. Maximize **mobility** and **accessibility** for all people and goods in the Region
2. Ensure travel **safety** and **reliability** for all people and goods in the Region
3. **Preserve** and ensure a **sustainable** regional transportation system
4. Maximize the **productivity** of our transportation system
5. Protect the **environment**, improve air quality and promote energy efficiency
6. Encourage **Land-use and growth patterns** that complement our transportation investments

Priorities

- The Region's vast investments in multi-modal transportation infrastructure must be protected.
- A maturing system dictates an increased operational focus that leverages technology to maximize the system's productivity.
- Air quality for the Region's residents must be improved and meet federal regulations.
- The investments in the RTP must address travel safety and modal balance; recognize the importance of providing safe travel choices; meet the needs of transit dependents and the goods movement community; and provide connections among the highway system, ports, and airports.
- For the first time, the RTP also integrates land-use policies as a means to influence transportation performance and the economy.
- The RTP must address all these priorities and more in the most cost-effective manner so that mobility and accessibility is maximized for people and goods.

Policies

1. Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.

2. Ensuring safety, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.
3. RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and subregions.
4. HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy #1.
5. Progress monitoring on all aspects of the Plan, including timely implementation of projects, programs, and strategies, will be an important and integral component of the Plan.

The RTP also contains various measures and strategies used to implement these broader policies. These include a decentralized regional aviation strategy, increases in bus rapid transit among many others.

2. The **Compass Growth Vision** contains four Growth Principles, including:

- Mobility
- Prosperity
- Livability
- Sustainability

Further, the vision contains a number of measures and strategies intended to promote the principles. The vision also identifies growth opportunity areas, within which intensified land use is called for.

3. **2004 RTP Program Environmental Impact Report (PEIR)**

The PEIR contains 39 mitigation measures for which SCAG is the responsible party.

4. **2004 Regional Transportation Improvement Plan (RTIP)**

The 2004 RTIP has not to date been adopted, but is scheduled for the September Regional Council meeting. Staff will review the RTIP for policy implications pending its adoption.

OTHER REGIONAL POLICIES

Staff has reviewed other sources of regional policies. In these areas, policies will be included in the Regional Comprehensive Plan based upon a staff determination that they are current and are broadly applicable across the region.

1. Regional Council Resolutions

Staff reviewed Regional Council Resolutions, but will not specifically consider them for the RCP because they either:

- a. Are adopted along with major plans, and are therefore do not contain additional policy direction over and above the plans themselves, or
- b. Are adopted for a single purpose that does not have an on-going regional application.

2. Legislative Positions

Each year, the Regional Council adopts a Legislative Program, which will be treated as policy and included in the RCP. Further, SCAG has positions on numerous pieces of State and Federal Legislation. To a large degree, these positions cannot be synthesized into cohesive regional policy. To the extent that SCAG's position on legislation relates to clearly established agency priorities such as Housing Element reform, they will be included in the RCP.

3. Ad-Hoc, Single Issue Policies

SCAG has established several policies by incorporated into stand-alone reports and task force work. These include but are not limited to water policies and transportation funding proposals.

4. 1996 Regional Comprehensive Plan and Guide (RCPG)

The 1996 RCPG contains policies largely based around the 1994 RTP. The 2005 RCP will replace the 1996 RCPG.

MEMO

DATE: September 13, 2004
TO: Administration Committee and Regional Council
FROM: Heather Copp, Chief Financial Officer
(213) 236-1804, copp@scag.ca.gov *HC*
RE: Monthly Report for August 2004

Information Only

Background: This report contains information about SCAG's cash flow, Budget and expense data and highlights for the month of August 2004.

Cash Flow

At August 30, 2004, the Letter of Credit (LOC) liability was \$1,298,000 compared to \$2,814,500 in the prior year. YTD LOC advances have decreased by \$1,314,000 or 35% compared to the same period last year.

Budget and Expenses

Attached is the SCAG Agency-Wide budget and the General Fund Budget in a new format. This information is directly exported from the SAP system. This year we want to begin focusing the RC's attention on the Agencywide budget, which is all inclusive of the OWP, General Fund, Indirect and Fringe budgets. We have categorized each of the several accounts in the Agency-Wide Budget to give you a 'Big Picture'. These categories are summarized below and detailed on the following pages.

Category	Budget	YTD Expends	Balance	Percent Spent
Staff	9,463,493	1,240,936	8,222,557	13%
Consultant	11,674,309	57,044	11,617,265	0%
Sub Regions	1,376,692	0	1,376,692	0%
Direct Costs	4,548,274	672,297	3,875,977	15%
Fringe Benefits	3,324,808	694,400	2,630,408	21%
Other	3,175,051	0	3,175,051	0%
Total	33,562,627	2,664,677	30,897,950	8%

August High lights

- Closed FY 03-04 books, one month ahead of prior year
- Submitted annual final Report of Expenditures to Caltrans, one week before due date
- Commenced annual, KPMG external audit one month ahead of prior year

Pc Dcs 103118

Budget v. Actual and Encumbrances
Through August - 17% of year

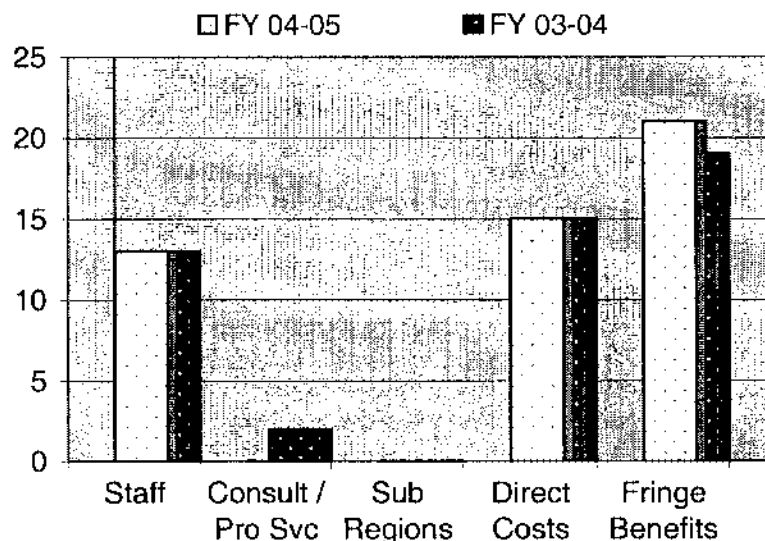
	Yr to Date Expenditures Thru			Pct of Bud	Encum- brances	YTD Expenditures Plus Encumbrs			Pct of Bud
	Budget	August	Balance				Balance		
Staff									
Salaries	9,363,493	1,220,645	8,142,848	13%		1,220,645	8,142,848		13%
Temporary help	100,000	20,291	79,709	20%	39,349	59,639	40,361		60%
	9,463,493	1,240,936	8,222,557	13%	39,349	1,280,284	8,183,209		14%
Consultant / Professional Services									
SCAG consultant	10,362,409		10,362,409	0%	6,310,374	6,310,374	4,052,035		61%
Legal services	435,000		435,000	0%	424,500	424,500	10,500		98%
Professional services	876,900	57,044	819,856	7%	751,644	808,689	68,211		92%
	11,674,309	57,044	11,617,265	0%	7,486,518	7,543,563	4,130,746		65%
Sub Regions									
Subregional consultant	354,359		354,359	0%	321,603	321,603	32,756		91%
Subregional staff projects	1,022,333		1,022,333	0%	1,022,333	1,022,333	0		100%
	1,376,692	0	1,376,692	0%	1,343,936	1,343,936	32,756		98%
Direct Costs									
Internet access fees	3,000		3,000	0%	1,796	1,796	1,204		60%
Software support	115,000	55,065	59,935	48%	807	55,872	59,128		49%
Hardware support	35,000	3,703	31,297	11%	24,171	27,874	7,126		80%
Software purchases	28,000		28,000	0%	3,000	3,000	25,000		11%
Office rent - main office	1,400,000	219,795	1,180,205	16%	1,064,180	1,283,975	116,025		92%
Office rent - satellite office	38,000	5,877	32,123	15%	29,184	35,061	2,939		92%
Equipment leases	340,000	52,332	287,668	15%	272,451	324,783	15,217		96%
Equipment repairs	25,000		25,000	0%	9,125	9,125	15,875		37%
Insurance	180,000	180,516	(516)	100%		180,516	(516)		100%
Payroll and bank process fees	25,000	3,187	21,813	13%		3,187	21,813		13%
Office supplies	100,000	8,307	91,693	8%	84,218	92,525	7,475		93%
Telephone charges	80,000	788	79,212	1%	5,327	6,115	73,885		8%
Postage and delivery	80,000	10,934	69,066	14%	284	11,217	68,783		14%
SCAG memberships	70,500	51,520	18,980	73%	12,745	64,265	6,235		91%
Professional memberships	7,500		7,500	0%	198	198	7,303		3%
Resource materials and subs	22,000	3,715	18,285	17%	21,731	25,446	(3,446)		116%
Depreciation - furniture	32,700	4,881	27,819	15%		4,881	27,819		15%
Depreciation - computer	85,000	10,227	74,773	12%		10,227	74,773		12%
Capital outlay	488,100		488,100	0%	47,242	47,242	440,858		10%
Recruitment notices	20,000	88	19,912	0%	13,200	13,288	6,712		66%
Public notices	25,000	2,268	22,732	9%	929	3,197	21,803		13%
Staff training	50,000	11,681	38,319	23%	5,501	17,182	32,818		34%
RC & committee meetings	20,000	61	19,939	0%	8,193	8,254	11,746		41%
RC retreat	15,000		15,000	0%			15,000		0%
RC general assembly	10,000		10,000	0%			10,000		0%
Other meeting expense	47,500	15,250	32,250	32%	11,000	26,250	21,250		55%
Miscellaneous	381,547		381,547	0%	79,699	79,699	301,848		21%
RC meeting stipends	130,000	11,010	118,990	8%		11,010	118,990		8%
Letter of credit interest	250,000	2,893	247,107	1%		2,893	247,107		1%
Caltrans rapid pay fees	2,000	150	1,850	8%		150	1,850		8%
Cash contributions to projects	10,000		10,000	0%			10,000		0%
Printing	162,727	1,033	161,694	1%	41	1,074	161,653		1%
Travel	200,900	9,436	191,464	5%	350	9,786	191,114		5%
Travel - event registration	18,800	2,580	16,220	14%	1,598	4,178	14,622		22%
AMPO board expense	1,000		1,000	0%			1,000		0%
RC special projects	49,000	5,000	44,000	10%	29,000	34,000	15,000		69%
	4,548,274	672,297	3,875,977	15%	1,725,970	2,398,266	2,150,009		53%

Budget v. Actual and Encumbrances
Through August - 17% of year

	Yr to Date Expenditures Thru			Pct of		YTD Expenditures Plus		Pct of
	Budget	August	Balance	Bud	Encum- brances	Encumbrs	Balance	Bud
Fringe Benefits								
Vacation accrual reconciliation		1,603	(1,603)			1,603	(1,603)	
Sick leave payback		(654)	654			(654)	654	
Severance and awards		39,832	(39,832)			39,832	(39,832)	
Retirement - PERS	1,376,879	197,483	1,179,396	14%		197,483	1,179,396	14%
Retirement - PARS	55,800	14,228	41,572	25%		14,228	41,572	25%
Health insurance	773,000	116,887	656,113	15%		116,887	656,113	15%
Dental insurance	78,895	15,375	63,520	19%		15,375	63,520	19%
Vision insurance	30,000	4,476	25,524	15%		4,476	25,524	15%
Life insurance	110,000	16,818	93,182	15%		16,818	93,182	15%
Medical & dental cash rebates	316,000	24,165	291,835	8%		24,165	291,835	8%
Medicare tax	135,137	15,538	119,599	11%		15,538	119,599	11%
Tuition reimbursements	15,000	163	14,837	1%		163	14,837	1%
Bus passes	15,000	1,690	13,310	11%		1,690	13,310	11%
Carpool reimbursements	5,000	350	4,650	7%		350	4,650	7%
Bus passes - taxable	75,000	8,859	66,141	12%		8,859	66,141	12%
Workers comp insurance (1)	230,097	233,900	(3,803)	102%		233,900	(3,803)	102%
Unemployment insurance	40,000		40,000	0%			40,000	0%
Deferred comp match	65,000	3,203	61,797	5%		3,203	61,797	5%
Benefit administration fees	4,000	484	3,516	12%		484	3,516	12%
	3,324,808	694,400	2,630,408	21%	0	694,400	2,630,408	21%
Other								
Soft match contributions	3,063,230		3,063,230	0%	3,063,230	3,063,230		100%
Reconcile to Burden	111,821		111,821	0%			111,821	0%
	3,175,051	0	3,175,051	0%	3,063,230	3,063,230	111,821	96%
Grand totals:	33,562,627	2,664,677	30,897,950	8%	13,659,003	16,323,679	17,238,949	49%

(1) Note: Workers Comp, in Fringe budget, paid in full, in July

% of Budget Spent @ 17% of year



MEMO

DATE: October 7, 2004
TO: Administration Committee & Regional Council
FROM: Arnold San Miguel, Government Affairs
(213) 236-1925 Miguel@scag.ca.gov
SUBJECT: Discussion of Agreement between SCAG & Tribal Governments

RECOMMENDATION: Continue to work on an agreement between SCAG and the Tribal Governments in the region.

BACKGROUND:

SCAG has been working to enhance the role of Tribal Governments in the regional transportation planning process. In the past year, SCAG organized four Summits to facilitate the development of an agreement on how SCAG and the Tribal Governments will participate and communicate together in the region.

At the June 30, 2004 Summit SCAG received a request to provide language framing an agreement. Draft language was prepared based upon both our summit meetings with the Tribal Governments and recommendations from SCAG's consultant, Mr. Joe Myers, Executive Director of the National Indian Justice Center. This language was presented at the September 9, 2004 SCAG Summit.

Tribal representatives at the September 9th Summit indicated that the Indian Tribes would meet amongst themselves to respond to the language presented by SCAG. In addition, a number of recommendations were requested be included in the language presented by SCAG (attached is the draft language that reflects revisions requested at the Summit.

FISCAL INPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 04/05 budget and does not require the allocation of any additional financial resources. The execution of this agreement could result in the need for additional financial resources in the future.

#103194



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS

000069

Revised Draft of September 13, 2004

Native American Planning and Management Council ("Council")

The Southern California Association of Governments (SCAG) has been meeting with representatives of the 16 federally recognized Indian Nations within the SCAG region. The purpose of these meetings have been to encourage discussions between SCAG and the Indian Nations to better understand how each can assist the other in addressing concerns regarding transportation and related planning matters. Moreover, the appropriate involvement of Indian Tribal governments in transportation planning and programs is required by 23 Code of Federal Regulations section 450.312(i)

As a result of and in furtherance of those discussions, SCAG presents the following underlying assumptions and conceptual framework for consideration by the Indian Nations.

ASSUMPTIONS:

SCAG recognizes that each of the 16 Native American Nations is an individual sovereign and nothing is intended in this framework to adversely impact that individual sovereignty. SCAG recognizes that each Native American Nation's relationship to SCAG is separate and is not bound by any other Native American Nation's relationship to SCAG.

SCAG recognizes the importance of consultation with Native Americans Governments and its explicit consultation obligations as required by law. This proposal does not substitute for that consultation requirement, but is consistent and in furtherance of SCAG's efforts to out reach to the Native American Tribes within its region.

CONCEPTUAL FRAMEWORK:

SCAG supports the creation of a Native American Management and Planning Council ("Council") or an equivalent entity which would:

1. Be created by the tribal nations
2. Be formed by two or more tribal nations within the SCAG region
3. Be composed of elected tribal representatives
4. Be a forum for the nations to discuss and address tribal nation concerns regarding transportation and related planning issues
5. Coordinate with the SCAG Regional Council on transportation and other planning issues

To facilitate communications an elected tribal representative from the Council would be provided voting status on the SCAG Regional Council, with the right to participate on SCAG's Policy Committees and the Administration Committee.

To further facilitate communications, the Council would have the opportunity to have 5 elected tribal representatives in addition to its Regional Council member serve on SCAG policy committees with the right to vote. Two tribal representatives would serve on each SCAG policy committee.

SCAG would work in partnership with the Council, to develop within the context of SCAG's overall work program, an allocation of resources to support the Council.

SCAG will seek to enter into Memorandums of Understanding with each of the 16 Native American Nations within the SCAG region which would:

1. Encourage the individual tribal nations to recognize and participate in the Council
2. Provide assurances that participation in the Council would not diminish the sovereign status of each individual tribal nation. Thus for example, each tribal nation reserves its right to separately address and pursue any or all issues upon which the Council has deliberated. A communication procedure enabling each individual tribal nation to present its views to the Regional Council will be developed.
3. Provide the opportunity for tribal members and/or tribal nation staff to participate in SCAG Task Forces and Technical Task Forces.
4. Provide for individual consultation with each signatory nation
5. Provide a fee structure which is consistent with that afforded to other members of the SCAG Regional Council and participants in its policy committees.